



City of Troy

AGENDA, TROY CITY COUNCIL
MONDAY, MAY 18, 2015, 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

Excuse Mr. Phillips

excuses by motion/second/roll call vote

PUBLIC HEARING

Ordinance No. O-12-2015: Rezone part of IL 9891, area of 25.422 acres from A-R, Agricultural-Residential District, to R-3-B, Single-Family Residential District

SUMMARY OF MINUTES

May 4, 2015

motion/second/roll call vote

COMMITTEE REPORTS

Citizen comments on committee reports or agenda items – two minute limit

RESOLUTIONS

| | | | |
|-----------|---|-----------|-------------------------|
| R-22-2015 | Authorize use of cooperative purchase program HGACBuy | EMERGENCY | 1 st reading |
| R-23-2015 | Ohio Dept. of Natural Resources grant for \$150,000 for Treasure Island Parking Lot | | 1 st reading |
| R-24-2015 | Adopt Solid Waste Management Plan for Miami County Solid Waste Management District | | 1 st reading |
| R-25-2015 | Contract for Streetscape 3B w/ L.J. DeWeese Co., up to \$650,000 authorization | EMERGENCY | 1 st reading |
| R-26-2015 | Bid for lime slaker unit for Water Treatment Plant, \$182,000 | | 1 st reading |

ORDINANCES

| | | |
|-----------|--|-------------------------|
| O-11-2015 | Rezone part of IL 6047, area of 14.577 Acres, from B-2, General Business District, to a Planned Development (PD). PUBLIC HEARING 5-4-2015 | 4 th Reading |
| O-12-2015 | Rezone part of IL 9891, area of 25.422 acres from A-R, Agricultural-Residential District to R-3-B, Single-Family Residential District PUBLIC HEARING 5-18-2015 | 2 nd Reading |

COMMUNICATIONS/ANNOUNCEMENTS

COMMENTS: Mayor, Director of Public Service & Safety, Director of Law, Auditor, Council President

COMMENTS: Council

COMMENTS: Staff

ADJOURN

NOTE: Committee meetings may take place prior to or following Council meeting

CITY OF TROY MISSION STATEMENT:

Through sound and prudent leadership, the City of Troy is committed to sustaining its continued prominence as a regional hub by providing a well-balanced community for its residents, businesses and visitors, consisting of a vibrant downtown, growing economic base, strong educational environment, and plentiful recreational opportunities strengthened by public/private cooperation and grounded in financial stability.

DISPOSITION OF ORDINANCES AND RESOLUTIONS

Date of Meeting: May 18, 2015

Troy City Council Meeting

[illegible]

MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, May 4, 2015, at 7:00 p.m. in Council Chambers.

Members Present: Clark, Heath, Kendall, Oda, Phillips, Schweser, Snee, Tremblay and Twiss.

Presiding Officer: Martha A. Baker, President of Council

Others Present: Michael L. Beamish, Mayor
 Patrick E. J. Titterington, Director of Public Service and Safety
 James Livingston, Director of Law
 John A. Stickel, Auditor

INVOCATION: The meeting began with the Pledge of Allegiance, followed by an invocation given by Council Member Twiss.

INTRODUCTIONS: The following recently promoted employees were introduced:
 Jeff Monce, appointed Water Treatment Plant Superintendent 12-21-2014,
 Ralph Walters, appointed Assistant Water Treatment Plant Superintendent 4-6-2015.

PUBLIC HEARING: At 7:05 p.m., Mrs. Baker declared opened the public hearing on O-11-2015, rezoning of part of IL 6047, from B-2 to a Planned Development.

Speaking in favor of the rezoning,

-Brett Chapman, 1700 Stroop Road, Kettering, Director of Training for Cassano's, commented that the proposed use (senior care facility) will be good for the area businesses and the community.

-Mary Vernau, 1201 Experiment Farm Road, owner of Jay & Mary's Bookstore, stated she supports the rezoning; Singer Properties has been their property manager and has done a good job; the proposed use would be good for her business; and she is also familiar with a senior living center operated by the same company in Avon Lake, Ohio, and she understands it to be an incredible facility.

-Alex Kolodesh, Singer Properties, read a letter from Dr. Bryan Harju, Towne Park Dentistry, 1845 Towne Park Drive, in which Dr. Harju stated his support for the senior care facility usage and his belief that the presence of a senior care facility would bring social and economic benefit to the entire community.

-Aaron Seamore, Storypoint Development, stated his company is excited about developing in Troy and feels the proposed use would be a great fit and a positive development for the community.

There were no comments opposing the rezoning.

There being no further comments, at 7:09 p.m. Mrs. Baker declared the public hearing closed.

MINUTES: The Clerk gave a summary of the minutes of the April 20, 2015, meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Clark, seconded by Mr. Kendall, to approve these minutes. Motion passed by unanimous roll call vote.

COMMITTEE REPORTS:

Law & Ordinance Committee:

Mr. Schweser, Chairman, gave an oral report that the following notices have been received from the Ohio Division of Liquor Control:

Transfer application for the current D5I permit from BG International Inc., dba Filling Station Sports Bar and Grill, 2331 W. Market St. & Patio to the name of Horn Food Enterprises LLC, dba Underground Sports Bar and Grill, of the same address.

New C1, C2, and D2 permits for Kroger Limited Partnership I, dba Kroger #984, 731 W. Market Street.

CITIZEN COMMENTS: NONE

RESOLUTIONS NONE

ORDINANCE NO. O-11-2015

ORDINANCE CHANGING THE ZONING OF PART OF INLOT 6047 (PARCEL NO. D08-056329) IN THE CITY OF TROY, OHIO FROM B-2, GENERAL BUSINESS DISTRICT, TO A COMMERCIAL PLANNED DEVELOPMENT

This Ordinance was given first title reading on April 6, 2015.

Given second title reading on April 20, 2015.

Given public hearing and third title reading.

ORDINANCE NO. O-12-2015
ORDINANCE CHANGING THE ZONING FOR A PART OF INLOT 9891 IN THE CITY OF TROY, OHIO FROM
A-R, AGRICULTURAL-RESIDENTIAL DISTRICT TO R-3-B, SINGLE FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading.

COMMENTS OF THE MAYOR: Mayor Beamish commented as follows:

- Troy is a quarter finalist for the America's Best Communities designation, which could put Troy in the running for other grants.
- The Sculptures on the Square exhibit dedication was held on May 3. The sculpture features a 31' bronze sculpture of President Abraham Lincoln. The dedication featured Lincoln Scholar George Buss. The Mayor commented that Mr. Buss' part of the dedication was excellent, and Mr. Buss was very complimentary regarding the Troy community how the community welcomed him.
- Events this week on the Courthouse Plaza include the Annual Peace Officers Memorial (May 6) and the National Day of Prayer (May 7) hosted by Troy Christian School.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY: Mr. Titterington commented as follows:

- City offices will be closed Memorial Day (May 25).
- The N. Market Street/Troy-Urbana Road intersection is open.
- CSX continues to perform rail work, including closing crossings, and the schedule is set by CSX.

COMMENTS OF COUNCIL:

- Mr. Clark congratulated Jeff Monce and Ralph Walters on their new positions, and congratulated retiring Police Captain Chuck Adams. Mr. Clark also encouraged attendance at the Peace Officers memorial honoring Miami County officers who died in the line of duty.

CITIZEN COMMENTS:

Brian Kemper, 402 W. Canal Street, and the owner of rental property on S. Cherry Street, asked if consideration could be given to Cherry Street residents to use the S. Cherry Street lot the mornings of the Farmers Market and the night before without penalty for use of the lot, as they cannot park on the street during those times due to the preparation for and holding the farmers market.

There being no further business, the meeting adjourned at 7:21 p.m.

Clerk of Council

President of Council

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council DATE: May 13, 2015
FROM: Community & Economic Development Committee
SUBJECT: REZONING PART OF IL 6047 FROM B-2 TO A PLANNED DEVELOPMENT (PD)

SUMMARY REPORT: *(to be read at Council meeting)*

This Committee met on May 12 to review a recommendation from the Troy Planning Commission that part of Inlot 6047, a 14.577 acre parcel, be rezoned from B-2, General Business District, to a Planned Development (PD). This parcel is located on Towne Park Drive, which is part of the TIF district, and is generally located north of SR 41 and East of Experiment Farm Road. The PD zoning is based on the construction of a senior living facility that would offer several different levels of care. PD zoning has protections that requires an applicant to resubmit to the Planning Commission and Council for approval of deviations from the PD plan.

RECOMMENDATION: *(to be read at Council meeting)*

We support the recommendation of Troy Planning Commission that the requested rezoning be approved for part of Inlot 6047 on Towne Park Drive from B-2, General Business District, to a Planned Development (PD), including the restrictions and covenants recommended by the Troy Planning Commission, as contained in Ordinance No O-11-2015 and the exhibit attached thereto.

Respectfully submitted,

Thomas M. Kendall

John W. Schweser

William C. Twiss, Chairman
Community and Economic Development Committee

DETAILED REPORT:

This Committee met on May 12, 2015 to review the recommendation from the Troy Planning Commission that part of Inlot 6047, a 14.577 acre parcel, be rezoned from B-2, General Business District, to a Planned Development (PD). This meeting ~~was~~ also attended by Mayor Beamish, the Director of Law, Council Members Clark, Phillips and Tremblay, the Director of Public Service and Safety, the property owner, applicant, and architect for the proposed project, members of the City staff, and citizens.

This parcel is located on Towne Park Drive, which is part of the TIF district, and is generally located north of SR 41 and East of Experiment Farm Road. The applicant is Choice One Engineering on behalf of Triple M Investments. The owner is Harson Investments, Ltd. The rezoning has been requested to allow for the construction of a 185,875 square foot building to serve as a senior living facility on the lot, with the facility offering several different levels of care. Information provided by the Planning Commission indicates that the proposed parking spaces exceed the requirement; there are to be three points of access; a walk way around the building is part of the plan; there is already a walkway connecting to neighboring retail and other businesses; utilities are available; there is an adjacent storm water management feature; open space requirements are met; and the plan conforms to the Comprehensive Plan and the TIF requirements. It is also noted that the applicant had a traffic impact analysis done by a certified traffic engineer, with the results indicating a traffic addition of an average of one car every 7.5 minutes. Due to the type of facility, the building would be constructed as one project, rather than in phases, and there would be a total of 158 units. In response to questions regarding plans of the developer should all units not be filled, it was noted that a PD zoning has protections that requires an applicant to resubmit to the Planning Commission and Council approval of deviations from the PD plan. We were also advised that the developer has a 25-year history with developing this type of housing, with 2,000 units located in several states.

RECOMMENDATION:

We support the recommendation of Troy Planning Commission that the requested rezoning be approved for part of Inlot 6047 on Towne Park Drive from B-2, General Business District, to a Planned Development (PD), including the restrictions and covenants recommended by the Troy Planning Commission, as contained in Ordinance No O-11-2015 and the exhibit attached thereto.

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council
FROM: Finance Committee
SUBJECT: AUTHORIZATION TO PURCHASE THROUGH HGACBuy

DATE: May 12, 2015

SUMMARY REPORT: *(To be read at Council meeting)*

On May 12 this Committee met to consider recommending that Troy be authorized to use the nation-wide governmental cooperative purchasing program, HGACBuy. HGACBuy is responsible for selecting competitive vendors for equipment and supplies used by governmental entities. Using these programs provides a savings to governmental entities related to the time required for specification preparation, bidding and contracting. Utilizing HGACBuy is an opportunity to broaden available vendors for items, especially as not all purchasing services bid and contract for the same items.

RECOMMENDATION: *(To be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared authorizing the City of Troy to make purchases through the governmental cooperative purchasing program known as HGACBuy. We support emergency legislation, as it was discussed that a demo fire rescue unit is currently available through HGACBuy that would meet the needs of the Troy Fire Department, and at a lesser cost than appropriated.

Respectfully submitted,

John W. Schweser

Douglas W. Tremblay

Thomas M. Kendall, Chairman
Finance Committee

DETAILED REPORT:

On May 12, 2015, the Finance Committee met to review a request that the City be authorized to purchase through HGACBuy, a nation-wide governmental cooperative purchasing service. This meeting was also attended by Mayor Beamish, the Director of Law, Council Members Clark, Phillips and Twiss, the Director of Public Service and Safety, members of the City staff, and citizens.

The City of Troy has been authorized to use governmental cooperative purchasing programs, including the State Purchasing Program and SWOP4G, to obtain equipment and some supplies. Under these programs, the purchasing service performs the detailed bidding process, and then determines the vendors that most meet various specifications for equipment generally used by entities and/or supplies at the most competitive prices and awards contracts to those vendors. Members of the cooperative purchasing programs can then purchase the identified items from the identified vendors. This saves the public entities time related to specification preparation, bidding and contracting. The Houston-Galveston Area Council (H-GAC) is a regional council of governments, and is a nation-wide governmental purchasing cooperative known as HGACBuy. Troy has not used this purchasing service; however, we have been advised that Findley and Sidney have used HGACBuy with very satisfactory results. Utilizing HGACBuy is an opportunity to broaden available vendors for items, especially as not all purchasing services bid and contract for the same items. Legislative action would be required to purchase through HGACBuy.

An example of a possible purchase through HGACBuy is the replacement fire rescue unit. This type of equipment is not on the State Purchasing Program. Two demo units are available from vendors authorized by HGACBuy, are under the amount appropriated, and would be available much sooner than if a new unit would have to be built. The merits of a demo unit were discussed, including that a warranty would mirror that for a custom built unit.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared authorizing the City of Troy to make purchases through the governmental cooperative purchasing program known as HGACBuy. In that a fire rescue unit is currently available through HGACBuy, we support emergency legislation.

Cc: Mayor, Council, Mr. Stickel, Mr. Livingston,
Mr. Titterington, Clerk, file, staff, media

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council

DATE: May 4, 2015

FROM: Law & Ordinance Committee

SUBJECT: APPROVAL OF THE MIAMI COUNTY SOLID WASTE MANAGEMENT PLAN UPDATE

DETAILED REPORT: *(To be read at Council meeting)*

On May 4, this Committee met to consider the ratification of the Miami County Solid Waste Management Plan Update. The Miami County Solid Waste District was established in 1989 and the Solid Waste Management Plan is updated approximately every five years to project procedures for the next 15 years in dealing with changing solid waste management issues. There has been no change to the core programs that were part of the prior approved plan, and there have been some enhancements.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared approving the Miami County Solid Waste Management Plan Update.

Respectfully submitted,

Bobby W. Phillips

Lynne B. Snee

John W. Schweser, Chairman
Law & Ordinance Committee

DETAILED REPORT:

On May 4, 2015 this Committee met to consider the Miami County Solid Waste Management Plan Update. Also attending the meeting were Mayor Beamish, Council President Baker, the Director of Public Service and Safety, members of the City staff, and a citizen.

The Miami County Solid Waste District was established in 1989 and the Solid Waste Management Plan is updated approximately every five years to project procedures for the next 15 years in dealing with changing solid waste management issues in the County, especially as those issues may be impacted by Ohio EPA Rules and Regulations. The plan was updated in 2002 and 2009. After a review over the last eighteen months, the most recent updated plan has been forwarded for adoption by the Miami County entities. We were advised that all the core programs that were part of the prior plan have remained the same, with some enhancements. The major item in the overall plan is the OEPA request that the budget be broken down into funds allocated for the Solid Waste District vs. the Transfer Station. Related to programming improvements and changes, there are more selections on the website for:

- Yard Waste
- Household Hazardous Waste
- Scrap Tires
- Automobile Batteries/Used oil
- Electronics recycling
- Curbside recycling

Topics for consideration under the plan are:

- Bar/Restaurant consortium for glass recycling
- Curbside Recycling – Community Consortium
- Internal Grants for recycling
- Increase education/awareness through presentations/mailings
- Increase participation of residential/commercial recycling

Miami County has set the approval period by the County entities of May 1 – July 29, 2015.

While not a part of the plan, there was discussion related to the use of the larger totes for recycling.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared ratifying the Miami County Solid Waste Management Plan Update.

Cc: Council
Mayor Beamish
Mr. Livingston
Mr. Stickel
Mr. Titterington
Clerk
media
file

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council

DATE: May 11, 2015

FROM: Recreation & Parks Committee

SUBJECT: ODNR GRANT AGREEMENT, TREASURE ISLAND PARKING LOT

SUMMARY REPORT: *(to be read at Council meeting)*

This Committee met on May 11 to consider recommending that the grant agreement be executed with the Ohio Department of Natural Resources (ODNR) for a \$150,000 grant for the Treasure Island Improvement Project, and more specifically for the parking lot reconstruction. These funds were made available through HB 497.

RECOMMENDATION: *(to be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to execute the ODNR Capital Improvement Project Grant.

Respectfully submitted,

Robin I. Oda

Douglas W. Tremblay

Brock A. Heath, Chairman
Recreation & Parks Committee

DETAILED REPORT:

This Committee met on May 11, 2015 to consider the grant agreement with the Ohio Department of Natural Resources (ODNR) related to the funding related to the parking lot at Treasure Island Park. This meeting was also attended by Mayor Beamish, the Director of Public Service and Safety, the City Auditor, Council Member Clark, and members of the City staff.

ODNR provided a Capital Improvement Community Recreation Project Grant in the amount of \$150,000 related to the Treasure Island Improvement Project, and more specifically for the parking lot reconstruction. These funds were made available through HB 497. Staff has reviewed the grant agreement and provided the necessary documentation. The next step is for Council to authorize the Director of Public Service and Safety to sign the grant agreement. This is very similar to the process used by OPWC.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to execute the ODNR Capital Improvement Project Grant.

cc: Council
Mayor
Mr. Livingston
Mr. Stickel
Mr. Titterington
Clerk
Staff
Media

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council

FROM: Streets and Sidewalks Committee

SUBJECT: STREETScape 3B PROJECT - INCREASE OF AUTHORIZATION

DATE: May 12, 2015

SUMMARY REPORT: *(To be read at Council meeting)*

This Committee met on May 12 to consider increasing the authorization for the Streetscape 3B project due to high bids. \$575,000 was authorized for the project. Based on the low bid, and allowing for contingency funds, the new authorization would be \$650,000. The contract would be awarded to the low bidder, L. J. DeWeese Co., Inc. Of the project cost, 47%, or up to \$300,000 will be funded by ODOT. We noted that while City costs for the project would be increasing, there is no increase to the assessments for this project as previously accepted by Council.

RECOMMENDATION: *(To be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to enter into a contract with L. J. DeWeese Co., Inc. in an amount not to exceed \$650,000 for the Streetscape 3B Project. In that a contract must be completed in June to receive the ODOT funding for this project, emergency legislation is supported.

Respectfully submitted,

Brock A. Heath

Lynne B. Snee

Bobby W. Phillips, Chairman
Streets & Sidewalks Committee

DETAILED REPORT:

This Committee met on May 12, 2015, to review the request for additional authorization for the Streetscape 3B Project as bids exceeded the authorization. The meeting was also attended by Mayor Beamish, Council Members Clark, Kendall, Schweser, and Tremblay, the Director of Law, members of the City staff, and citizens.

This project is for improvements on East Main Street from Walnut Street to Mulberry Street. Council authorized a contract for the project at an amount not to exceed \$575,000. 47% of the project costs, up to \$300,000, will be funded through an ODOT/MVRPC grant. Three bids were received on the project, ranging from \$609,036.80 to \$720,810.23. We were advised that bids higher than the authorization are attributed to the timing of the bids as well as additional costs to accommodate property owner requests related to entrances, subsurface hatches, and utility revisions. It is noted that the assessments to the property owners for their portions of the project cannot be increased above assessments previously accepted by Council. Any additional costs will be paid from City funds. Staff is looking into other potential funding options.

The ODOT funding is predicated on a contract award by early June. City staff has recommended that a contract be awarded to the low bidder, L. J. DeWeese Co., Inc. and that emergency legislation be considered. So that funds are available for possible contingencies, it is requested that the total authorization be \$650,000. The fund allocation for the project is below.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to enter into a contract with L. J. DeWeese Co., Inc. in an amount not to exceed \$650,000 for the Streetscape 3B Project. In that a contract must be completed in early June to receive the ODOT funding for this project, emergency legislation is supported.

Cc: Council, Mayor, Mr. Livingston, Mr. Stickel, Mr. Titterington, Clerk, media, staff

| | |
|--------------------|-----------|
| Funding: | Revised |
| ODOT Grant | \$300,000 |
| Fund 441 | \$226,500 |
| Water & Stormwater | \$ 60,000 |
| Sidewalk Assess | \$ 63,500 |

COMMITTEE REPORT
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council
FROM: Utilities Committee
SUBJECT: BIDDING AUTHORIZATION, LIME SLAKER SYSTEM

DATE: May 11, 2015

SUMMARY REPORT: *(To be read at Council meeting)*

Committee members Tremblay and Clark met on May 11, 2015 to consider the request for bidding authorization for a replacement lime slaker system including the installation costs. Initially only the equipment was budgeted to replace one of four lime slaker systems. However, it would be in the best interest of the City and the plant to have the supplier install the system. Funds are available from other budgetary savings to cover the cost of the installation.

RECOMMENDATION: *(To be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for a lime slaker system for the Water Treatment Plant, including installation costs, at a cost not to exceed \$182,000.

Respectfully submitted,

Alan R. Clark

William C. Twiss

Douglas W. Tremblay, Chairman
Utilities Committee

DETAILED REPORT:

Committee members Tremblay and Clark met on May 11, 2015 to consider the request for bidding authorization for a replacement lime slaker system. This meeting was also attended by Mayor Beamish, the City Auditor, Council Members Oda and Heath, the Director of Public Service and Safety, and members of the City staff.

There are four lime slaker units (slaker and feeder) at the Water Treatment Plant. The oldest of these was purchased in 1988. It has now exceeded the useful life span for such equipment, repairs are costly and only a temporary fix, and the unit is not compatible with the other units. \$127,000 was budgeted for a replacement system based on the cost of the equipment. Installation was to be performed by plant staff. However, current staff does not have expertise with installing this type of equipment, and staff has recommended that the bidding include the equipment and installation. As a part of the installation process, one of the plant operators will be assigned to learn the installation process and become familiar with the new system, and then provide the training to other plant employees. It is estimated that the equipment and installation will cost \$182,000. Funds are available within the Water Plant budget due to the timing of retirements and filling vacancies.

As a part of the Committee review, we were advised that one of the other units should be replaced in 3 - 5 years, and the other two in approximately 10-15 years.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for a lime slaker system for the Water Treatment Plant, including installation costs, at a cost not to exceed \$182,000.

RESOLUTION No. R-22-2015

Daytime Legal Blank, Inc.

**RESOLUTION AUTHORIZING THE CITY OF TROY,
OHIO TO PARTICIPATE IN THE COOPERATIVE
PURCHASING PROGRAM OF HGACBUY AND
DECLARING AN EMERGENCY**

WHEREAS, cities may participate in cooperative purchasing programs offered or sponsored by any other political subdivision, regional council of government, public agency, the state, or the federal government, or as a third-party beneficiary under a state or federal procurement contract.

WHEREAS, the cooperative purchasing program HGACBuy is such a cooperative purchasing program that the City wishes to utilize.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, Ohio as follows:

SECTION I: That the City of Troy, Ohio is hereby authorized to participate in the HGACBuy cooperative purchasing program.

SECTION II: That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Troy, Ohio, and for the further reason that there is currently equipment available through the HGACBuy cooperative purchase program that the City wishes to pursue; NOW WHEREFORE this Resolution shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

RESOLUTION No. R-23-2015

Dayton Legal Blank, Inc.

**RESOLUTION AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY,
OHIO TO ENTER INTO A GRANT AGREEMENT WITH
THE OHIO DEPARTMENT OF NATURAL RESOURCES
(ODNR)**

WHEREAS, the Ohio Department of Natural Resources (ODNR) has awarded the City of Troy a Capital Improvement Community Recreation Project Grant in the amount of One Hundred Fifty Thousand Dollars through HB 497, and

WHEREAS, such grant funds are related to the infrastructure project of the parking lot construction as part of the Treasure Island Improvement Project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, as follows:

SECTION I: That the Director of Public Service and Safety of the City of Troy, Ohio is hereby authorized to execute the Capital Improvement Community Recreation Project Grant with ODNR.

SECTION II: That this Resolution shall be effective at the earliest date allowed by law.

Adopted: _____

President of Council

Approved: _____

Attest: _____
Clerk of Council

Mayor

RESOLUTION No. R-24-2015

Dayton Legal Blank, Inc.

**RESOLUTION TO ADOPT THE SOLID WASTE
MANAGEMENT PLAN FOR THE MIAMI COUNTY SOLID
WASTE MANAGEMENT DISTRICT**

WHEREAS, the City of Troy, Ohio is located within the jurisdiction of the Miami County Solid Waste Management District, and

WHEREAS, the District Policy Committee prepared and adopted a final draft of the Solid Waste Management Plan in accordance with Ohio Revised Code Sections 3734.53, 3734.54 and 3734.55, and

WHEREAS, the District has provided a copy of the Draft Final Solid Waste Management Plan for ratification to each of the legislative authorities of the District, and

WHEREAS, the City of Troy must decide whether it approves of said Solid Waste Management Plan within ninety days of receipt of the Final Draft Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, as follows:

SECTION I: That the City of Troy, Ohio approves the District Solid Waste Management Plan.

SECTION II: That the Clerk of Council is hereby directed to send the District a copy of this Resolution to the attention of Ms. Cindy Bach, District Coordinator, Miami County Solid Waste Management District, 2200 North County Road 25A, Troy, Ohio, 45373.

SECTION III: That this Resolution shall be effective at the earliest date allowed by law.

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

RESOLUTION No. R-25-2015

Dayton Legal Blank, Inc.

**RESOLUTION AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY,
OHIO TO ENTER INTO A CONTRACT WITH THE L. J.
DeWEESE CO., INC. FOR THE STREETScape 3B
PROJECT AND DECLARING AN EMERGENCY**

WHEREAS, Council has previously authorized bidding for the Streetscape 3B project, and

WHEREAS, no bid met the authorization, and

WHEREAS, it has been determined that this project should proceed and be contracted for immediately due to partial funding of the project through an Ohio Department of Transportation (ODOT) Grant that requires a contract to be executed in June of this year;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, as follows:

SECTION I: That the Director of Public Service and Safety of the City of Troy, Ohio is hereby authorized to enter into a contract with the L. J. DeWeese Co., Inc. for the Streetscape 3B project, with a total authorization not to exceed Six Hundred Fifty Thousand Dollars (\$650,000.00).

SECTION II: That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City of Troy, Ohio, and for the further reason that the contract must be executed immediately to meet the requirement of ODOT funding towards the cost of the project, **NOW, WHEREFORE**, this Resolution shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

RESOLUTION No. R-26-2015

Dayton Legal Blank, Inc.

**RESOLUTION AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY,
OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A
CONTRACT FOR A LIME SLAKER UNIT FOR THE
WATER TREATMENT PLANT**

WHEREAS, funds are budgeted to replace a lime slaker unit at the Water Treatment Plant, and

WHEREAS, it will be more efficient to include installation as part of the bid and funds are available from other Water Fund savings to fund installation costs,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Troy, as follows:

SECTION I: That the Director of Public Service and Safety of the City of Troy, Ohio is hereby authorized to advertise for bids and enter into a contract for a replacement lime slaker unit, including installation, for the Water Treatment Plant in accordance with the specifications now on file in the Office of the Director of Public Service and Safety, at a cost not to exceed One Hundred Eighty-two Thousand Dollars (\$182,000.00).

SECTION II: That this Resolution shall be effective at the earliest date allowed by law.

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

ORDINANCE No. O-11-2015

Dayvin Legal Blank, Inc.

**ORDINANCE CHANGING THE ZONING OF PART OF
INLOT 6047 (PARCEL NO. D08-056329) IN THE CITY OF
TROY, OHIO FROM B-2, GENERAL BUSINESS
DISTRICT, TO A COMMERCIAL PLANNED
DEVELOPMENT**

WHEREAS, a request for zoning change was presented to the Planning Commission of the City of Troy, Ohio, to rezone part of Inlot 6047 (14.577 Acres), Parcel D08-056329 in the City of Troy, and

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan as modified during the review process and has recommended approval of the plan as modified, and

WHEREAS, at least thirty days notice of the public hearing of said change has been provided in a newspaper of general circulation,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

SECTION I: That the zoning of part of Inlot 6047, Parcel D08-056329, consisting of 14.577 acres, in the City of Troy, Ohio, and further described in Exhibit A, attached hereto, be changed from of B-2, General Business District, to a Commercial Planned Development (PD).

SECTION II: That this Ordinance shall be effective at the earliest date allowed by law:

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

PROTECTIVE COVENANTS AND RESTRICTIONS AGREEMENT

THIS PROTECTIVE COVENANTS AND RESTRICTIONS AGREEMENT (this “Agreement”) is entered into on this ____ day of April, 2015, by and between the **CITY OF TROY** (“City”), and **UNIFIED PROPERTY GROUP, LLC**, a Michigan limited liability company, or its assigns (“Owner”).

For the purpose of enhancing and protecting the value, attractiveness, and desirability of the Property referred to herein, Owner hereby declares that all of the real property described herein shall be held, sold, conveyed and transferred subject to the easements, covenants, conditions and restrictions contained herein, which shall constitute covenants running with the land and shall be binding on all parties having any right, title, or interest in such Property.

RECITALS:

A. Owner is the owner of that certain real property located in the City of Troy, County of Miami, State of Ohio (the “Property”) as legally described in Exhibit “A”.

B. City and Owner desire to enter into this Agreement to set forth certain protective covenants and restrictions relating to the Property.

NOW THEREFORE, in consideration of the covenants hereinafter set forth and other good and valuable consideration, City and Owner agree:

1. **PURPOSE.** It is the intent of these restrictive covenants to require that the Property be developed as an attractive, senior living development site, with ample landscaped open areas, attractive high quality structures, proper and desirable uses and appropriate development. The use of any portion of the Property shall all time conform to the applicable ordinances of the City of Troy, Ohio. In order to protect the owners, tenants and subtenants against improper use and to guard against violation of these goals, the following standards are enacted.
2. **STANDARDS.**
 - a. **Setbacks.** No building or structures shall be erected within the following minimum setback areas.
 - i. From side property line 25 feet
 - ii. From rear property lines 25 feet.
 - iii. From property lines abutting in the existing or proposed streets along highway rights of way – 25 feet

Where, however, the zoning ordinances of the City of Troy require greater setback, no building structure shall be erected within the minimum setback area provided for therein.

The setback areas are to be used exclusively for utilities, landscaping, lawns, driveways, area walks and off-street parking, providing, however, that no off-street parking be allowed in any front yard setback. Parking shall not be permitted within 10 feet on a right-of-way line on a dedicated street.

- b. Construction. Building constructions and designs should be such as to create a completed structure with four (4) attractive sides of high quality rather than creating a front elevation of significantly different materials from side and rear elevations. The side of any structure that is not facing a public right of way may be constructed of approved materials of the basic design used in the structure.
- c. Parking. Employee/Customer/Owner/Tenant parking will not be permitted on the private or publicly dedicated streets and it will be the responsibility of the Owner to provide the necessary parking facilities. Parking requirements shall be as follows:
 - i. The senior living use shall provide a minimum of one parking space per 1,000 square feet of gross floor space unless otherwise approved by Troy City Council.
 - ii. All parking areas shall be properly maintained by Owner.
- d. Building Materials. No exterior walls, including a rear wall, shall be permitted with exposed galvanized sheet, metal siding, concrete block, or light weight aggregate block, whether painted or not. All major equipment including but not limited to air conditioning equipment, heating equipment, electrical transformers, and dumpsters shall be screened from view with material consistent with the building material. Owner agrees to develop the building on the Property with a combination of vinyl siding and a minimum of 60% of either brick or stone on the exterior and all sides of the building as shown in Exhibit B, described as IL Entry – Brick Option or IL Entry-Stone Option Revised.
- e. Waste and Refuse. All materials or refuse, combustible or non-combustible, should be stored and maintained in closed containers. Such containers shall be shielded from view by permanent fully enclosed structures or screens using similar materials of the primary structure and consistent with the design of the building. Such containers shall be kept in a clean and sanitary condition.

- f. Landscaping. All open areas on a parcel not used for building, storage, parking, access roads and loading areas shall be suitably graded and drained and shall be seeded and maintained in grass and shall be further landscaped with trees and shrubs as to provide an attractive setting for the buildings and to screen parking, loading and road areas. The parking area of the site plan will have five percent (5%) of the interior parking area with landscaping per the City of Troy Zoning Code.
- g. Outside Storage and Equipment. No outdoor storage shall be permitted except for a minimal amount of storage which shall be permitted in the carports. Minimal amount of storage shall be defined as no greater than 10% of each carport.
- h. Fences. No fences, walls, hedges or mass planting shall exceed a height of 6 feet nor be erected or installed or permitted to remain within 30 feet of a property line or right-of-way line. Chain link fences are not permitted. Fencing shall be prohibited beyond the front plane of the buildings. Metal fencing shall be prohibited. Notwithstanding the foregoing, Owner shall be permitted to install a wrought iron fence around the detention pond in the event one is required. To the extent permissible under the City of Troy ordinance 521.07, the fence placed to hide trash storage shall be opaque.
- i. Building Coverage. ~~In~~ no case shall coverage by building, access drives and parking exceed a total of seventy percent (70%) of the Property.
- j. Permitted Uses. No more than forty percent (40%) of the Property may be used for retail uses which includes but is not limited to, retail store, café, bistro, pub style restaurant, beauty salons and fitness center. Any and all retail uses of the Property shall be confined to the interior of the building and used solely by the residents or families of the residents of the Senior Living Facility.
- k. Code Compliance. This site will be developed in compliance with all applicable building, engineering, and zoning standards unless specifically stated within this agreement.
- l. Design Layout. The design layout of the Property, including, but not limited to, buildings, sidewalks, parking areas, carports, and other amenities and structures of the Property shall follow the design layout of Exhibit C, which Exhibit C is incorporated herein by reference thereto.
- m. Sidewalks. It is the sole responsibility of the owner to maintain all sidewalks, walking trails, driving lanes and parking areas on the Property to City standards.

- n. Utilities. All utilities of the Property shall be located underground, including, but not limited to, telephone lines, cable lines, electric lines, water lines, sewer lines, etc.
- o. Solar Panels. No solar panels shall be permitted on the Property.
- p. Antennas and Satellite Dishes. No exposed or exterior radio or television transmission or receiving antennas, and no satellite dishes which exceed 24 inches in diameter shall be erected, placed, or maintained on any part of the Property.
- q. Swimming Pools. No outdoor swimming pools shall be permitted on the Property.
- r. Flag Poles. No more than three (3) flag poles are permitted on the Property provided that the top of the flag pole does not exceed the height of the principal structure.
- s. Vehicles. No boat, boat trailer, house trailer, camper, recreational vehicle, tent, or equipment or vehicle of a similar nature shall be parked or stored on the Property. This does not apply to necessary service vehicles to a limited period as may be necessary to service any part of the Property, provided that deliveries are made to the rear of the property. No inoperable motor vehicle shall be parked on any part of the Property. The repair of any motor vehicle on the Property is prohibited except for emergency repairs, and then only to the extent necessary to enable movement thereof to a proper repair facility.
- t. Signs. All signs shall conform to the City Sign Code requirements for signs as defined under the commercial zoning district. Exterior advertising of retail uses are prohibited.
- u. Clothes Lines. The use of exterior clothes lines shall not be permitted.
- v. Covenants and Restrictions. The Property is required to adhere to the "Amended and Restated Declaration of Covenants and Restrictions," created by HARSON INVESTMENT LTD., as recorded on April 9, 2004 at the Miami County, Ohio Recorder Office, as included in Exhibit D.

[Signatures on Following Page]

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first written above.

CITY:
CITY OF TROY, a

By: _____
Its: _____

OWNER:
UNIFIED PROPERTY GROUP, a

By: _____
Its: _____

[Notarizations on Following Page]

[Notarization Page to Agreement]

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of March, 2015, before me the subscriber, a Notary Public in and for said county, personally appeared _____, as _____ of the **CITY OF TROY**, a _____, to me personally known, who by me duly sworn, did say that said instrument was signed on behalf of said company and acknowledged said instrument to be the free act and deed of the company.

_____, Notary Public
_____ County, _____
My commission expires: _____
Acting in _____ County

STATE OF _____)
) ss.
COUNTY OF _____)

On this _____ day of March, 2015, before me the subscriber, a Notary Public in and for said county, personally appeared _____, as _____ of the **UNIFIED PROPERTY GROUP**, a Michigan limited liability company, to me personally known, who by me duly sworn, did say that said instrument was signed on behalf of said company and acknowledged said instrument to be the free act and deed of the company.

_____, Notary Public
_____ County, _____
My commission expires: _____
Acting in _____ County

**THIS DOCUMENT DRAFTED BY AND
WHEN RECORDED RETURN TO:**

Adam P. Lumberg, Esq.
Sullivan, Ward, Asher & Patton, P.C.
25800 Northwestern – Suite 1000
Southfield, MI 48075
248-746-0700

EXHIBIT "A"

Situated in the City of Troy, County of Miami, State of Ohio, and being within Section 17, Town 5, Range 6 East and also being a part of Inlot 6047 of the consecutive numbered lots of the City of Troy bounded and described as follows:

Commencing at an iron pin found on the Southerly right-of-way line Towne Park Drive which marks the Northeast corner of Inlot 9433 of the Troy Towne Park Subdivision Section One as recorded in Plat Book 20, Page 12, said iron pin being the True Point of Beginning for the herein after described tract;

Thence, with the Southerly and Westerly right-of-way line of said Towne Park Drive the following three (3) courses:

- (1) Thence, North 87 deg. 39'00" East a distance of 504.86 feet to an iron pin set;
- (2) Thence, with a curve to the right of radius = 170.00 feet, delta angle = 89 deg. 18'32", long chord bears South 47 deg. 41'44" East 238.96 feet, and along the arc a distance of 264.86 feet to an iron pin set;
- (3) Thence, South 03 deg. 02'28" East a distance of 885.08 feet to an iron pin set on the common lot line between Inlots 6047 and 7996;

Thence, with the said common lot line, South 87 deg. 18'53" West a distance of 188.89 feet to an iron pin set;

Thence, North 61 deg. 07'04" West a distance of 580.80 feet to an iron pin found, corner to Inlot 9433 and on the Easterly line of said Troy Towne Park Sec. One;

Thence, with the lot line and said plat line, North 02 deg. 21'00" West a distance of 752.92 feet, returning to the True Point of Beginning, containing 14.577 acres, more or less.

Description Prepared by Professional Associates, Inc. - M.L. Oxner, Reg. Surveyor No. 6209, March 5, 2004. Bearing basis correlated to the section line and centerline of Experiment Farm Road as North 02 deg. 21'00" West per SV 12 Plat 107. Iron pins set are 5/8" dia. x 30"L with ID cap.

Parcel No. D08-056329

EXHIBIT "B"



IL ENTRY - ORIGINAL STONE OPTION

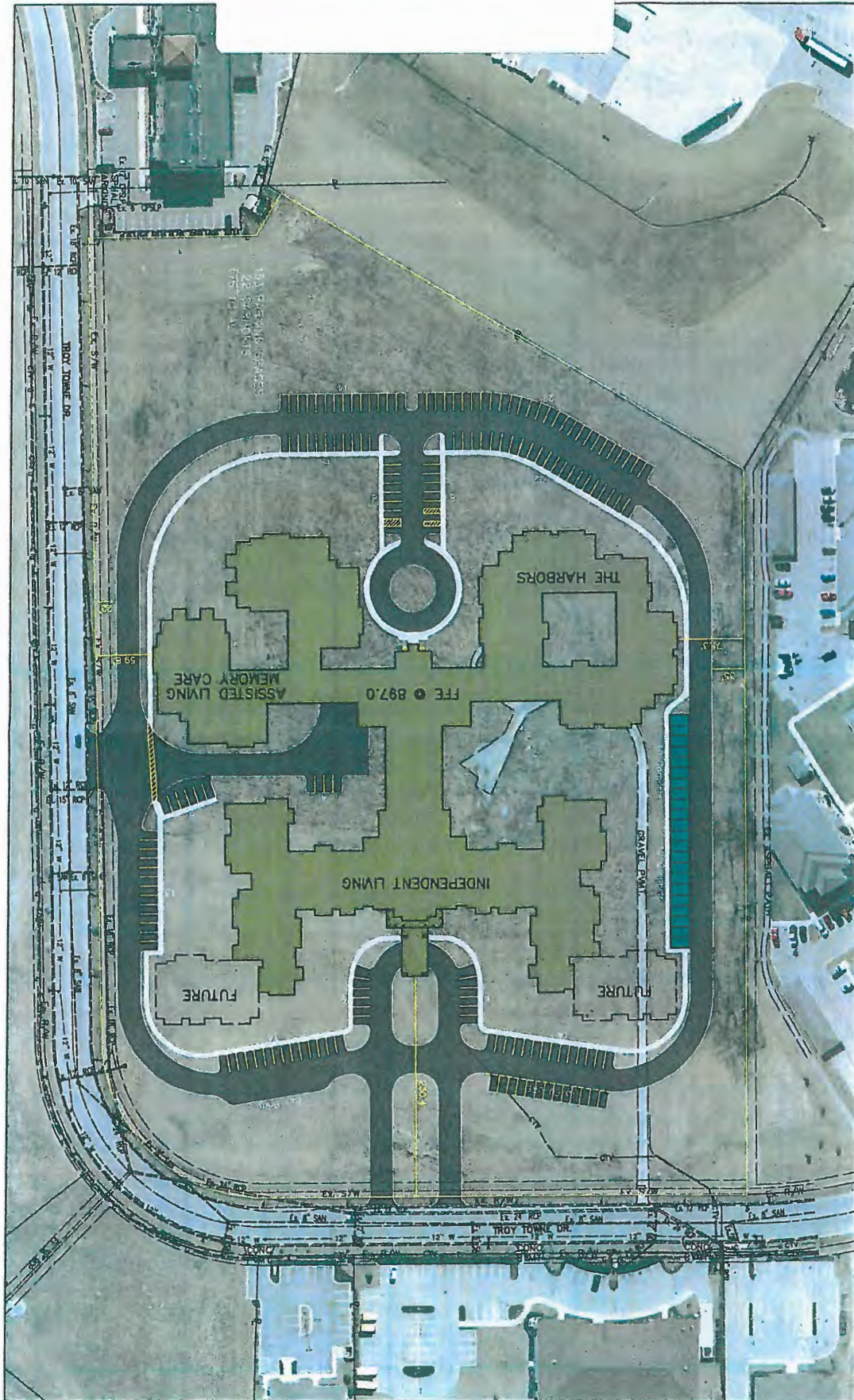


IL ENTRY - BRICK OPTION



IL ENTRY - STONE OPTION REVISED

EXHIBIT "C"



| | | | | |
|--------|---|---|---|--|
| 1 of 1 | <p>REVISIONS:</p> <p>FILE NAME: MATR001419</p> <p>DRAWN BY: M. J. JONES</p> <p>CHECKED BY: M. J. JONES</p> <p>DATE: 01-18-2015</p> <p>SHEET NUMBER: 1</p> | <p>SENIOR LIVING FACILITY</p> <p>CITY OF TROY, MIAMI COUNTY, OHIO</p> <p>EXHIBIT 'D'</p> | <p>440 E. HICKSHAW ROAD TROY, OHIO 45363 (937) 497-0300 www.choiceoneengineering.com</p> <p>265 W. LINDSEY AVENUE LOVELAND, OHIO 45140 (513) 732-2554</p> | <p>CHOICE ONE</p> <p>ENGINEERING</p> |
|--------|---|---|---|--|

EXHIBIT "D"

AMENDED AND RESTATED DECLARATION OF COVENANTS AND RESTRICTIONS

This instrument is executed this 7th day of April, 2004 by Harson Investments, Ltd., an Ohio Limited Partnership, (the "Developer").

WHEREAS, Developer, pursuant to its power to amend provided in Article IV of the Declaration of Covenants and Restrictions dated June 6, 2003 and filed for record June 12, 2003 at Volume 0738, Page 459 of the Records of the Recorder of Miami County, Ohio (the "Declaration") amended that Declaration of Covenants and Restrictions by the Amendment to Declaration of Covenants and Restrictions dated September 16, 2003 filed at Volume 0742, Page 914 of the Records of the Recorder of Miami County, Ohio (the "Amendment"); and

WHEREAS, Developer now wishes to both extend the operation of the Declaration and the Amendment by including additional real estate and amending certain provisions in respect to the additional real estate to be included; and

WHEREAS, Developer wishes to restate the prior Declaration and Amendment in this document to provide clarity and avoid confusion;

NOW, THEREFORE, Developer, for valuable consideration, hereby declares that the following provisions, covenants and restrictions shall bind and run with the land subject hereto in perpetuity.

I. SUBJECT REAL ESTATE

The real estate which is the subject of the Declaration and Amendment is described as follows:

Situate in the City of Troy, County of Miami and State of Ohio and being Lots Numbered 9430, 9431, 9432, 9493 and 9494 of the consecutive numbers of lots of said City (the "original lots").

The real estate which is to be now included is described as follows:

See Exhibit "A"
(the "highway lots")
and
See Exhibit "B"
(the "interior lots").

II. DEFINITIONS

As used herein, the following terms shall be defined as follows:

MIAMI COUNTY RECORDER
JOHN W. O'BRIEN
0397696
PRESENTED FOR RECORD
MIAMI COUNTY, OHIO
04/09/2004 11:10:55AM
REFERENCES 1
RECORDING FEE 136.00
PAGES: 15

VOL 0748 PAGE 445

Michael Lee

- (a) "Developer" - shall mean Harson Investments, Ltd., its respective successors and assigns or any party or entity to whom or which Harson Investments, Ltd. expressly transfers its rights as Developer under this Declaration upon the condition that such party or entity expressly assumes and agrees to perform the duties of Developer in which case Harson Investments, Ltd. will be relieved of all responsibility therefore;
- (b) "Developer Tract" - shall mean any lot, tract, parcel, real property, or portion of the same, which is owned by Developer and subject to these restrictions;
- (c) "User" - shall mean the person or entity, other than Developer, taking fee simple title to any lot, tract, parcel or real property, or any portion hereof, which is subject to these restrictions, or any person or entity holding any other legal, equitable or other interest in the same, which shall include, but not be limited to any owner, buyer, landlord, lessor, tenant, lessee, sub-tenant or sub-lessee, or occupant, and their respective successors and assigns, but shall exclude any party holding such an interest merely as security for the performance of an obligation;
- (d) "User Tract" - shall mean any lot, tract, parcel, real property, or portion of the same, whether in the original lots, the highway lots or the interior lots described above, which is subject to a fee interest, or equitable interest of a User and subject to these restrictions;
- (e) "Building" - shall mean any building, out building, garage, or any other structure located in, on, or about the real property subject to these restrictions, built for the enclosure and/or storage of any person, animal, chattel, equipment, inventory, or other movable property of any kind, and which is permanently affixed to the ground;
- (f) "Common Area Easements" - shall mean the signage/landscape easements retained by Developer on lots 9430, 9431 and 9432 (City of Troy, Ohio) at the intersection of Towne Park Drive and Experiment Farm Road and the signage/landscape easements to be created by Developer at the point where Towne Park Drive will intersect the south line of Lot 7996 as that lot is now constituted.
- (g) "Hazardous Substance" - shall mean:
 - (1) all materials and substances defined as "hazardous substances", "hazardous materials", "toxic substances", "hazardous waste", "toxic chemicals", "solid waste", "infectious waste", or similar terms, as defined in: (i) the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. '9601 et seq.), as

amended by Superfund Amendments and Reauthorization Act of 1986 (Pub. L. 99-499, 100 Stat. 1613), (ii) the Resource Conservation and Recovery Act of 1976 (42 U.S.C. '6901 *et seq.*), (iii) the Hazardous Materials Transportation Act, 49 U.S.C. '1801 *et seq.*, (iv) Section 311 of the Clean Water Act, 33 U.S.C. '1251 *et seq.* (33 U.S.C. '1321) or listed pursuant to Section 307 of the Clean Water Act (33 U.S.C. '1317), or (v) Sections 3734.01 and Section 3751.01 of the Ohio Revised Code, as any of the same may be amended or supplemented from time to time.

(2) All materials and substances listed in the United States Department of Transportation Table (49 CFR 172.101) or by the Environmental Protection Agency as hazardous substances, as the same may be amended or supplemented from time to time;

(3) Any material or substance that is petroleum or a petroleum derivative, asbestos, polychlorinated biphenyl, a flammable explosive, or a radioactive materials; and

(4) Such other substances, materials and wastes that are or become regulated as hazardous or toxic under applicable local, state or Federal law.

(h) "Environmental Laws" - shall mean any federal, state or local law, regulation, administrative ruling, order, ordinance, and the like, pertaining to the protection of the environment or the regulation, handling or disposal of Hazardous Substances whether now in effect (such as, but not limited to, those referred to in the preceding definition for "Hazardous Substances") or which becomes effective in the future.

III. COVENANTS

The following constitute the protective covenants and restrictions for the subject property:

1. Users must supply the Developer with construction and landscape plans prior to any construction or planting and obtain Developer's written approval thereof which approval shall not be unreasonably withheld. Approval will be deemed given if Developer fails to respond within thirty (30) days of receipt of such plans. User shall also provide Developer with a copy of "as built" documents for the completed construction. Any future alterations shall be submitted for approval to Developer in the same manner. No construction, installation, planting or future alteration shall occur without full compliance with this provision.

2. No fence or other barriers shall obstruct pedestrian or vehicular traffic over any easement access area or roadway adjacent to any Developer or User Tract.
3. Should the local governmental authority create a lighting district, the User shall be a participant and comply with all regulations and requirements provided therefore.
4. Users shall be responsible for the construction and installation of and the cost and expense of sidewalks on or adjacent to its User Tract. If a User Tract is located on a corner, User must extend the sidewalk along both abutting streets.
5. User Tracts must include at least five (5) parking spaces per 1000 square feet of Building area (all buildings) constructed on the User Tract.
6. If a drive up window unit is constructed on a User Tract, it must provide for stacking of not less than five (5) automobiles.
7. The Developer and each User must maintain their respective common areas and parking areas.
8. No signage or decals on windows in any buildings on User Tracts are permitted other than temporary signage approved in writing by the Developer.
9. **All User** Tracts must be maintained in a safe and sanitary condition in accordance with all good business practice for a first class development and in compliance with all applicable governmental regulations, ordinances and laws. This shall include, without limitation: the maintenance of a pest free environment utilizing such extermination services necessary to insure it remains pest free; daily removal of any refuse from any part of the User Tract except trash or refuse containers which shall be properly maintained and used in a manner that prevents refuse materials from escaping onto the User Tract or adjacent Tracts or areas; the painting and staining of all exterior surfaces of Buildings as necessary to eliminate a faded, chipped or peeling appearance; maintenance of all trees and shrubbery so it appears trimmed and healthy and free of worn areas or dead and decaying vegetation; and, in general, free of any other unsightly or offensive appearance that would detract from a first a first class development.
10. No use shall be permitted on a User Tract which is inconsistent with the operation of a first-class mixed use project. Without limiting the generality of the foregoing, the following uses shall not be permitted on the original lots or the highway lots without the Developer's express written consent:
 - (i) Any use which emits an obnoxious odor, noise, or sound which can be heard or smelled outside of any Building. Notwithstanding the foregoing, this restriction is not meant to apply to normal cooking smells emanating from a restaurant.

(ii) Any operation primarily used as a storage warehouse operation and any assembling, manufacturing, distilling, refining, smelting, agricultural, or mining operation;

(iii) Any "second-hand" store (excluding a bona fide antique store) or "surplus" store;

(iv) Any mobile home park, trailer court, labor camp, junkyard, or stockyard (except that this provision shall not prohibit the temporary use of construction trailers during periods of construction, reconstruction, or maintenance);

(v) Any dumping, disposing, incineration, or reduction of garbage (exclusive of garbage compactors located near the rear of any Building);

(vi) Any fire sale, bankruptcy sale (unless pursuant to a court order) or auction house operation;

(vii) Any central laundry, dry cleaning plant, or laundromat; provided, however, this prohibition shall not be applicable to nominal supportive facilities for on-site service oriented to pickup and delivery by the ultimate consumer as the same may be found in retail shopping districts in the metropolitan area where the Purchaser Tract Center is located;

(viii) Any automobile, truck, trailer or recreational vehicles sales, leasing, display or body shop repair operation;

(ix) Any bowling lane or skating rink;

(x) Any movie theater or live performance theater;

(xi) Any residential use, including but not limited to: single family dwellings, townhouses, condominiums, other multi-family units and other forms of living quarters, including sleeping apartments;

(xii) Any veterinary hospital or animal raising facilities (except that this prohibition shall not prohibit pet shops);

(xiii) Any mortuary, funeral home or cemetery;

(xiv) Any establishment selling or exhibiting pornographic materials or drug-related paraphernalia;

(xv) Any bar, tavern, Restaurant or other establishment whose reasonably projected annual gross revenues from the sale of alcoholic beverages

for on-premises consumption exceeds twenty-five percent (25%) of the gross revenues of such business. It is the intention of the Developer that the 25% cap on gross revenues from the sale of alcoholic beverages for on premises consumption as contained in this Declaration is meant to mirror the same cap contained in Ohio Revised Code Section 4303.18-1 (I) Permit D-5(i). The Code Section requires that beer and liquor sales do not exceed 25% of gross revenues to obtain and then retain qualification to keep a D-5 (i) liquor license. In the event that the Ohio Revised Code is amended or revised to allow for a higher portion of gross revenues from alcoholic beverage sales for a D-5(i) liquor license, the limitation of this Article III, item 10, subsection (xv) shall be automatically increased to such higher rate allowed by the amended or revised statute.

(xvi) Any health spa, fitness center or workout facility;

(xvii) Any flea market, amusement or video arcade, pool or billiard hall, car wash, or dance hall;

(xviii) Any training or educational facility, including but not limited to: beauty schools, barber colleges, reading rooms, places of instruction or other operations catering primarily to students or trainees rather than to customers; provided however, this prohibition shall not be applicable to on-site employee training by an Occupant incidental to the conduct of its business or educational facility approved by Developer;

(xix) Any gambling facility or operation, including but not limited to: off-track or sports betting parlor; table games such as black-jack or poker; slot machines, video poker/black-jack/keno machines or similar devices; or bingo hall. Notwithstanding the foregoing, this prohibition shall not apply to governmental sponsored gambling activities, or charitable gambling activities, so long as such governmental and/or charitable activities are incidental to the business operation being conducted by the Occupant;

(xx) Storage of recreational vehicles, boats, campers, trailers and other vehicles on a permanent basis, on any portion of the property is prohibited. Work related vehicles may be permitted upon the express written consent of Developer. Permanent is defined as exceeding twenty-four (24) hours;

(xxi) All roof equipment and vents shall not be visible from the front elevation of any Building or from any side fronting a primary road; and

(xxii) No fencing is allowed without written approval of the owner of the Developer Tract other than opaque fencing to screen trash storage.

In addition to the foregoing, the following uses shall not be permitted at any time on the highway lots:

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(xxiii) Any operation whether or not it sells beer, wine or alcohol that advertises itself as a "gentlemen's club", as an X rated facility, that caters to the prurient interests of its patrons, that has male or female dancers that accept money or other gratuities for their dancing or any other activity, that includes male or female employees that perform lewd, lascivious, licentious or promiscuous acts for value, that provides any sort of entertainment that has men or women performing in various states of undress including but not limited to "g-strings" or "g-strings and "pasties" or "topless" or "topless-bottomless" shall be prohibited.

In respect to the interior lots, only the covenants referred to in this Provision as sub-provisions xiii, xiv, xviii, xix and xxiii shall be applicable unless either part of the land making up the interior lots is further subdivided. For purposes of this provision, the parts making up the interior lots are that part taken from lot 7996 (lot 12 on the Preliminary Plan for Troy Towne Park) and that part taken from lot 6047 (lot 13 on the Preliminary Plan for Troy Towne Park). If either is further subdivided, all of the covenants above, (i) through xxiii, inclusive, shall apply to the subdivided lots.

11. User shall comply with all applicable Environmental Laws. No User shall use, permit the use of, manufacture, treat, store, or dispose of Hazardous Substance on, about, under or in its Tract, or any portion of the surrounding real property subject to these restrictions, except in the ordinary course of its usual business operations conducted thereon, and any such use shall at all times be in compliance with all Environmental Laws. Each User agrees to defend, protect, indemnify and hold harmless each other User and the Developer, as applicable, from and against all claims or demands, including any action or proceeding brought thereon, and all costs, losses, expenses and liabilities of any kind relating thereto, including but not limited to costs of investigation, remedial response, and reasonable attorneys' fees and costs of suit arising out of or resulting from any Hazardous Substance used or permitted to be used by such party whether or not in the ordinary course of business.
12. No merchandise, equipment or services, including but not limited to vending machines, promotional devises and similar items, shall be displayed, offered for sale or lease, or stored on a User Tract or within any building. Notwithstanding the foregoing, nothing herein is intended to exclude the sale of merchandise which is incidental to the primary use on the Property (such as promotional shirts, hats, clothing, toy vehicles, gift certificates, etc.) in connection with the operation a restaurant.
13. The seasonal display and sale of bedding plants on the sidewalk in front of any Building or within other Common Areas is prohibited without Developer's prior written authorization and shall then be subject to City of Troy ordinances.

14. User shall cause its employees, or the employees of any occupants of its Tract to park their vehicles only on its Tract and in designated parking areas for employee parking.
15. Any signage located on any User Tract, whether for identification purposes or otherwise, shall be subject to and consistent with all applicable governmental laws, ordinances, rules and regulations. No identification sign attached to the exterior of a building on a User Tract shall be:
 - (i) placed on canopy roofs extending above the building roof, placed on penthouse walls, or placed so as to project above the parapet, canopy, or top of the wall upon which it is mounted;
 - (ii) placed at any angle to the Building; provided, however, the foregoing shall not apply to any sign located under a sidewalk canopy if such sign is at least eight (8) feet above the sidewalk;
 - (iii) painted on the surface of any Building;
 - (iv) flashing, moving or audible;
 - (v) employ exposed raceways, exposed neon tubes, exposed ballast boxes, or exposed transformers; or
 - (vi) paper or cardboard signs, temporary signs (exclusive of contractor signs), stickers or decals; provided, however, the foregoing shall not prohibit the placement at the entrance of each Occupant's main building a small sticker or decal, indicating hours of business, emergency telephone numbers, acceptance of credit cards, Security Protection Services and other similar information.
16. Each User (as to its tract) shall maintain or cause to be maintained in full force and effect Commercial General Liability Insurance with a combined single limit of liability of One Million (\$1,000,000.00) Dollars for bodily injury, personal injury and property damage, arising out of any one occurrence. The limits hereby required shall be adjusted every five (5) years to reflect inflation as measured by the Consumer Price Index.

Users and Developer shall defend, protect, indemnify and hold harmless each other from and against all claims or demands including any action or proceeding brought thereon, and all costs, losses, expenses and liability of any kind relating thereto, including, but not limited to, reasonable attorney's fees and costs of suit, arising out of or resulting from the injury to or death of any person, or damage to the property of any person located on the respective tract owned by each indemnifying party; provided, however, the foregoing obligation shall not apply to

claims caused by the gross negligence or willful act or omission of such other party, its licensees, concessionaires, agents, servants, or employees, or the agents, servants, or employees of any licensee or concessionaire thereof.

Effective upon the commencement of construction of any building on its Tract and so long as such building exists, User shall carry, or cause to be carried, property insurance with "all-risk" coverage, in the amount of 100% of full replacement cost thereof (excluding footings, foundations or excavations). Upon request by Developer, proof of the existence of such insurance shall be provided to Developer.

17. User shall keep its Tract free and clear of all construction debris on a regular basis, shall not encroach on any surrounding Lots and shall hold Developer harmless from any claims arising from construction activities on User's Tract. User is responsible for all the clean up and removal of all mud and debris left on each Tract or tracked onto the streets or any damage to Developer improvements by its employees, agents, invitees, contractors and subcontractors.
18. User shall leave all sanitary sewer manholes, storm sewer manholes, main water line boxes and water tap box as uncovered and exposed to the finish grade after sodding and seeding or installation of driveways.
19. User is responsible for securing and paying for all individual zoning permits, sewer and water tap-in fees, building permits and other associated fees.
20. All above ground equipment including, HVAC units, storage boxes, electric transformers, gas meters shall be screened by landscaping shrubs and plants at least 3' in height at time of planting. Shrubs and other plants shall be maintained and replaced as needed with similarly specified plants.
21. User shall be part of any lighting district created by the City of Troy. Each User shall be responsible for any and all assessments related to the User Tract assessed by the lighting district whether incurred prior to or after ownership.
22. User (including Developer) shall pay to the Developer a share for operations, maintenance, repairs and replacement of the common area easements retained by Developer, including, without limitation, entrance landscape and watering costs, signage and lighting costs and costs associated with the operation, maintenance, repair and replacement of the drainage system including, without limitation, piping and detention ponds. User shall pay the annual sum equal to \$750.00 times each acre and/or fraction of an acre in the User Tract beginning on the ____ day of _____, 200____. All such funds shall be maintained in a separate account by Developer as Trustee for all Tract owners. The Developer shall pay from such account the expenses or costs of such operations, maintenance, repairs and replacement as the Developer, in its

reasonable judgment shall deem necessary. The Developer shall be entitled to retain from the funds collected a sum equal to the greater of five (5%) percent of the actual annual cost of operation, maintenance, repair or replacement or One Thousand Five Hundred and 00/100 (\$1,500.00) Dollars as an administrative fee for the performance of its duties. Any party obligated by this Declaration or any lease or other agreement to pay any sum due under this provision shall have the right to inspect the records of the Developer, upon reasonable notice, in respect to payments made from these funds.

If, at the time a payment is due and current costs and expenses are paid, the balance of the account is \$30,000.00 or more, no further payments shall be required until the balance is less than \$30,000.00 at which time the payments (in full and not prorated to provide an even balance of \$30,000.00) shall resume beginning with the next annual payment. The Developer shall have the right to increase or decrease the annual payment to reflect actual costs provided the change occurs on a per acre basis. In addition, the Developer shall have the right, upon approved of majority of the owners of Tracts to levy a special assessment to meet emergency costs or expenses.

If any payment is not paid within thirty (30) days of its due date, the Developer may file an affidavit specifying the name of the owner of the Tract for which the payment is due, a description of the Tract and the amount due and the same shall constitute a lien against such Tract from its date of filing until paid subject to any prior liens. In such event, any reasonable attorney's fees associated with the filing of the affidavit or any such fees associated with the enforcement or defense of such lien shall be added to the amount due and also constitute a lien on such Tract.

23. User (including Developer) shall employ a standard mail delivery box at the street as long as there is rural mail delivery within the real estate subject to this Declaration of Covenants and Restrictions. If the mailbox is a single unit, it shall be Imperial Mailbox Systems Model 820K-6. If the mailbox is a twin unit, it shall be Imperial Mailbox Systems Model T820K-6. All mailboxes shall be black in color. If this manufacturer ceases business or the manufacturer of the above models, a substantially similar model in black shall be used.
24. Developer and any User shall have the right to enforce these covenants and restrictions. In the event any party defaults in its obligations, promises and duties as contained herein, or breaches any of the terms and conditions as contained herein, the non defaulting/non-breaching party shall have the right to enforce said covenants and restrictions by prosecuting any proceeding against the party or parties violating or attempting to violate any one or more of the covenants and restrictions. The parties expressly state that the non-defaulting party shall have any remedy in either law or equity available to it, including the right to recover damages and/or seek injunctive relief to enforce the provisions hereof.

Developer shall have the right, in addition to the remedies described above, to enter upon any part of the User's Tract, at any reasonable time, upon not less than 48 hours notice, to inspect the same for a possible violation or breach of these covenants and restrictions. Where an inspection shows that a violation or breach of these covenants and restrictions exists, Developer, or its authorized agents, representatives and employees, shall have the right to abate and remove any structure, thing or condition causing such violation, at the cost and expense of the owner of the User Tract where the violation exists without any liability to such User for trespass or any other claim resulting from such entry.

The remedies specified in this paragraph are cumulative and do not preclude any other remedy in law or in equity by any party adversely affected by any violation or breach of these covenants and restrictions.

In any proceeding for the enforcement of any of the provisions of these covenants and restrictions, or for the restraint of a violation of any such provision, the losing party shall pay the reasonable attorney's fees and court costs of the prevailing party in such amount as may be fixed by the Court in that proceeding. Notwithstanding anything to the contrary contained herein, or any other indemnity provision contained herein, each party agrees to defend, protect, indemnify and hold harmless each other from and against all claims or demands including any action or proceeding brought thereon, and all costs, losses, expenses and liability of any kind relating thereto, reasonable attorney's fees, professional fees and court costs, arising out of or resulting from the respective parties violation of the terms and conditions hereof.

No delay or failure on the part of any aggrieved party to pursue any available remedy with respect to a violation of any provisions hereof, shall be deemed to be a waiver by such party of, or the estoppel of that party to assert, any right available to such party upon the recurrence or continuation of such violation or the occurrence of any different violation. No provision hereof shall be construed as to place upon the Developer or any other aggrieved party any duty to take any action to enforce the terms and conditions contained herein.

25. The terms and conditions contained herein are to be deemed restrictions and covenants that run with the land and are to be deemed perpetually in full force and effect. Unless otherwise stated herein, such Covenants and Restrictions shall be binding upon the Developer, its successors and assigns and any User now or hereafter having an interest in any part of the subject real property. In the event that this provision of this Declaration shall violate the Rule Against Perpetuities as it may exist in the State of Ohio, any interest which this Declaration may create must vest within twenty-one years after the death of the last child living at the death of Shayna Kolodesh.

26. If any provision hereof is held to be invalid by any court of competent jurisdiction, the invalidity of such provisions shall not affect the validity of any other provision contained herein. All such other provisions shall continue in full force and effect.

IV. AMENDMENT AND EXTENSION

Developer expressly reserves the right to amend the provisions of this Declaration in order to promote the development of the real estate subject to this Declaration as well as other real estate currently owned by Developer which may be adjacent to or within the vicinity of the subject real estate. This shall include, without limitation, the use to which a User Tract may be put. This right of amendment, however, shall be subject to the following limitations:

1. It may not impose against any User Tract not owned by Developer at the time a more restrictive provision than herein contained without the consent of the owner of that User Tract;
2. It may not subject any User Tract to a greater proportion of a payment obligation than originally provided without the consent of the owner of the User Tract; and
3. **It may not impose a requirement on, eliminate a restriction contained herein, or provide any benefit for less than all Developers and User Tracts without the consent of the owners of all User Tracts.**

V. DEVELOPER TRANSFER

The Developer may transfer all of its rights and duties under this Declaration of Comments and Restrictions to a successor and such successor shall have all the rights and powers herein provided for the Developer but shall be subject to the same duties and responsibilities as Developer. This transfer shall be subject to the following conditions:

- 1) The transfer shall be made by a written document executed by Developer and its successor which expressly accepts all duties and responsibilities of Developer;
- 2) The successor shall own at least one User Tract which is subject to this Declaration of Covenants and Restrictions;
- 3) The Developer must have no further ownership of any User Tract;
- 4) All funds collected from payments on all User Tracts not then expended shall be paid to the successor; and

5) All records of expenses and work performed fulfilling its duties and responsibilities as Developer shall be transferred to the successor.

Upon appointment of a successor by Developer, the subsequent owners of the lot owned by the appointed successor shall acquire the same rights subject to the conditions above stated. If a subsequent owner is not willing to accept the responsibility of the successor, one shall be selected by a majority vote of all of the owners of lots then subject to this Declaration with each lot having one vote for this purpose. A meeting may be called by any three (3) owners for purposes of a vote upon not less than thirty (30) days written notice to all other owners.

Upon transfer as set forth above, Developer shall have no further responsibility to any owner or User of a Tract except in the event of fraud or illegal dealing.

IN WITNESS WHEREOF, Harson Investments, Ltd. has affixed its signature by its duly authorized general partner this 7th day of April, 2004.

HARSON INVESTMENTS, LTD.
An Ohio Limited Partnership
By Dayton Co., General Partner

By Shayna S. Kolodesh
Shayna S. Kolodesh, President

STATE OF OHIO)
COUNTY OF MONTGOMERY) SS:

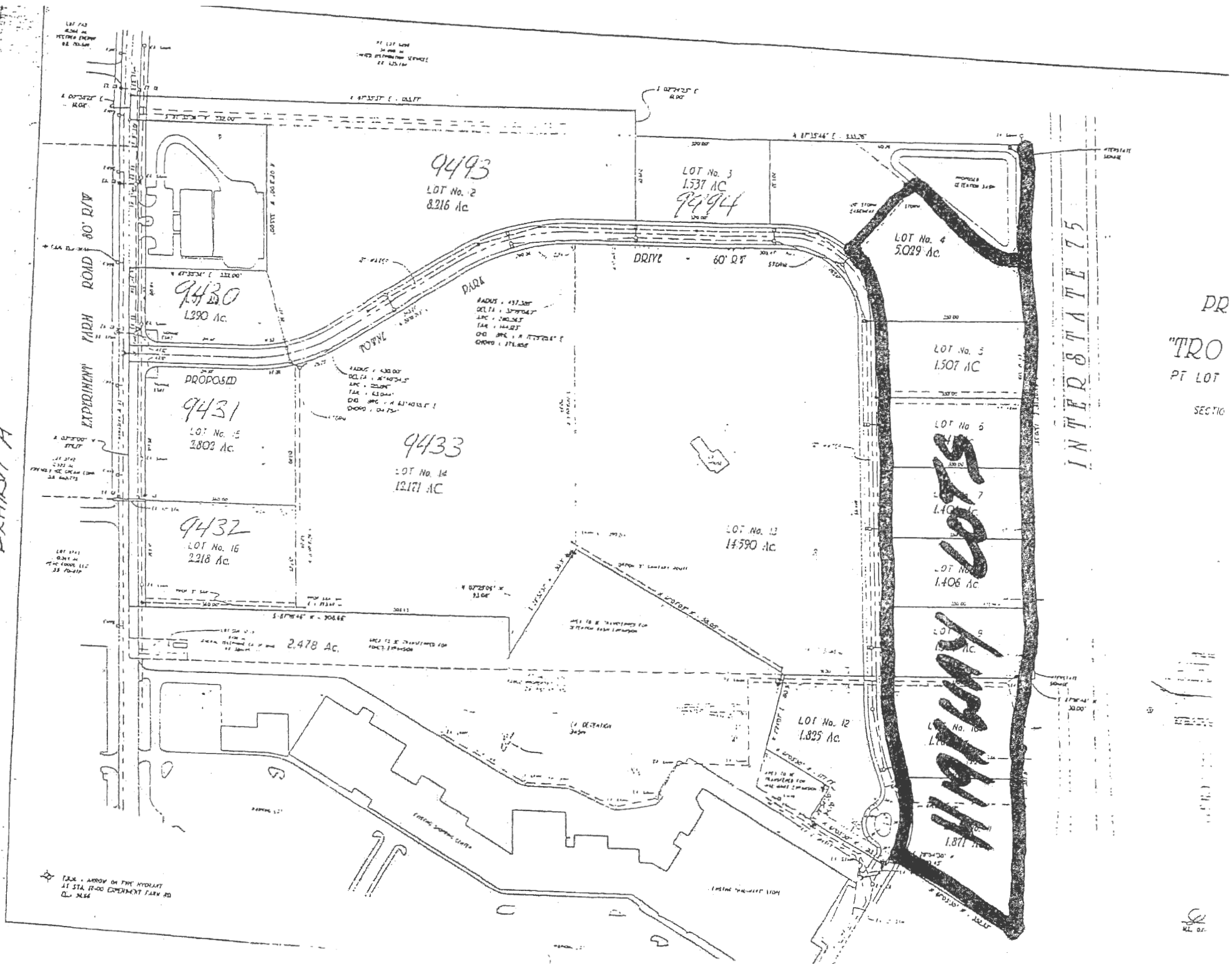
The foregoing instrument was acknowledged by HARSON INVESTMENTS, LTD., an Ohio Limited Partnership, by Dayton Co., Its General Partner, By Shayna S. Kolodesh, its President.

[Signature]
Notary Public
Notary Public, State of Ohio
My Commission has no expiration date.
Section 147.03 O. R. C.

THIS INSTRUMENT PREPARED BY: ALAN A. BIEGEL, ATTORNEY AT LAW
SingerAmended Declaration-Troy - LasV 02/17/04 -1
PSE 237407

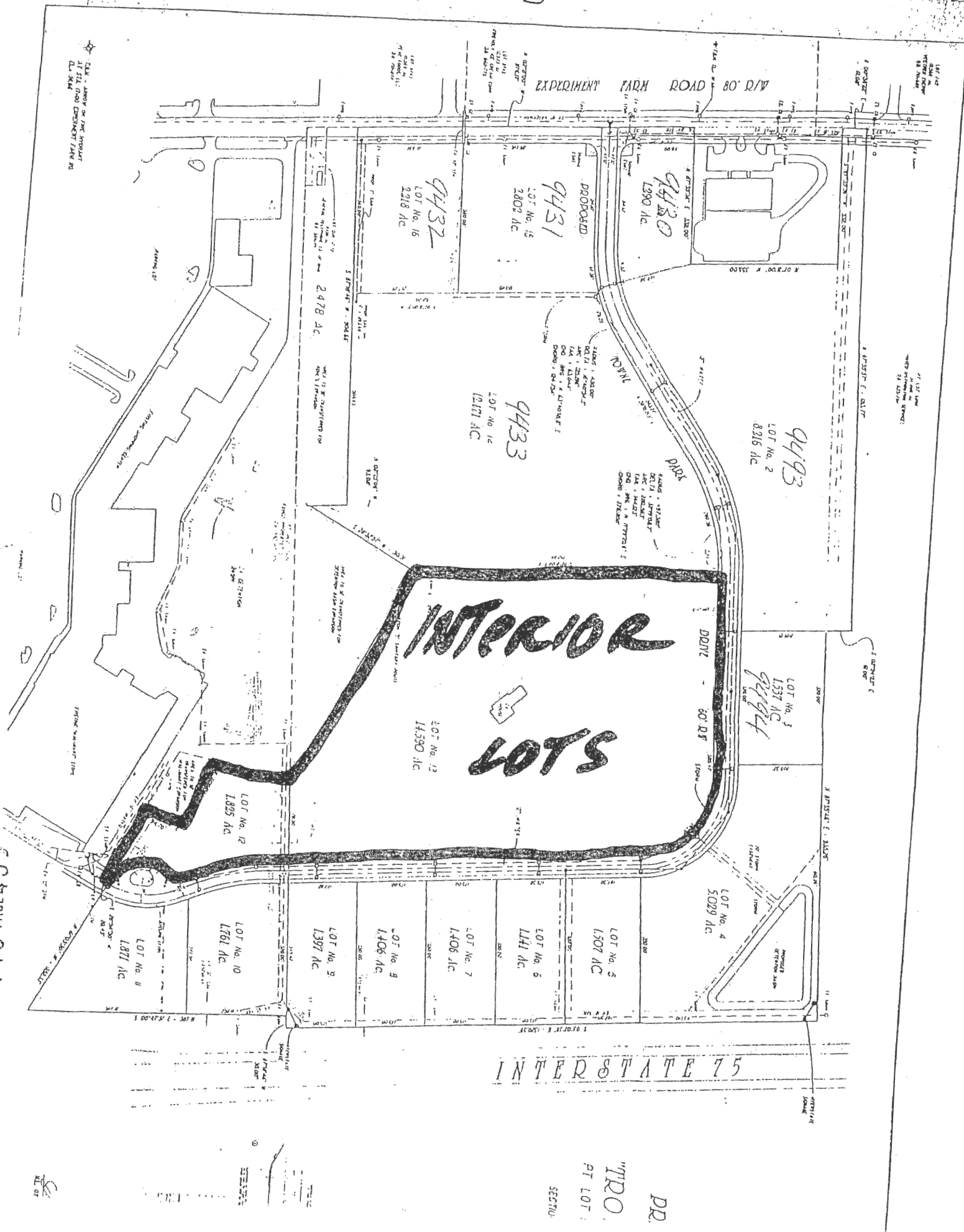
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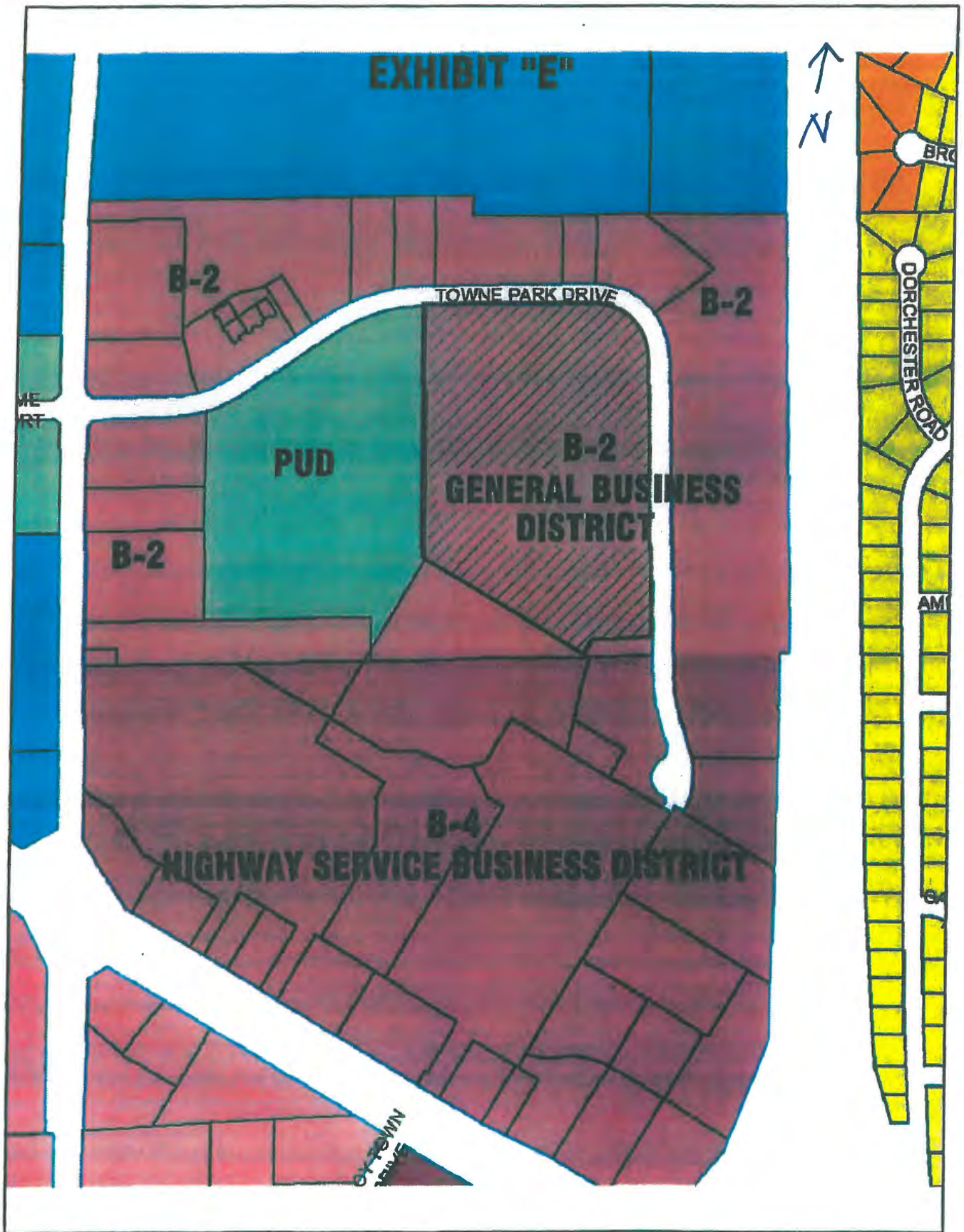
EXHIBIT A



89471010 R 1010

EXHIBIT B





ORDINANCE No. O-12-2015

Dayton Legal Blank, Inc.

**ORDINANCE CHANGING THE ZONING FOR A PART OF
INLOT 9891 IN THE CITY OF TROY, OHIO FROM A-R,
AGRICULTURAL-RESIDENTIAL DISTRICT TO R-3-B,
SINGLE FAMILY RESIDENTIAL DISTRICT**

WHEREAS, a request for zoning change was presented to the Planning Commission of the City of Troy, Ohio, to rezone a 25.422 acre portion of Inlot 9891 (Parcel No. D45-002548) in the City of Troy, as shown on the attached Exhibit "A", and more particularly described in the attached Exhibit "B", and

WHEREAS, the Planning Commission of the City of Troy, Ohio, has reviewed the plan and recommended approval, and

WHEREAS, at least thirty days notice of the public hearing of said change has been provided in a newspaper of general circulation,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Troy, Ohio as follows:

SECTION I: That the zoning of a 25.422 acre portion of Inlot 9891 (Parcel No. D45-002548), as shown on the attached Exhibit "A" and described in the attached Exhibit "B", be changed from A-R, Agricultural-Residential District, to R-3-B, Single-Family Residential District.

SECTION II: That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: _____

President of Council

Approved: _____

Attest: _____

Clerk of Council

Mayor

EXHIBIT "A"
25.422 acres, part of IL 9891, part of Parcel D45-002548

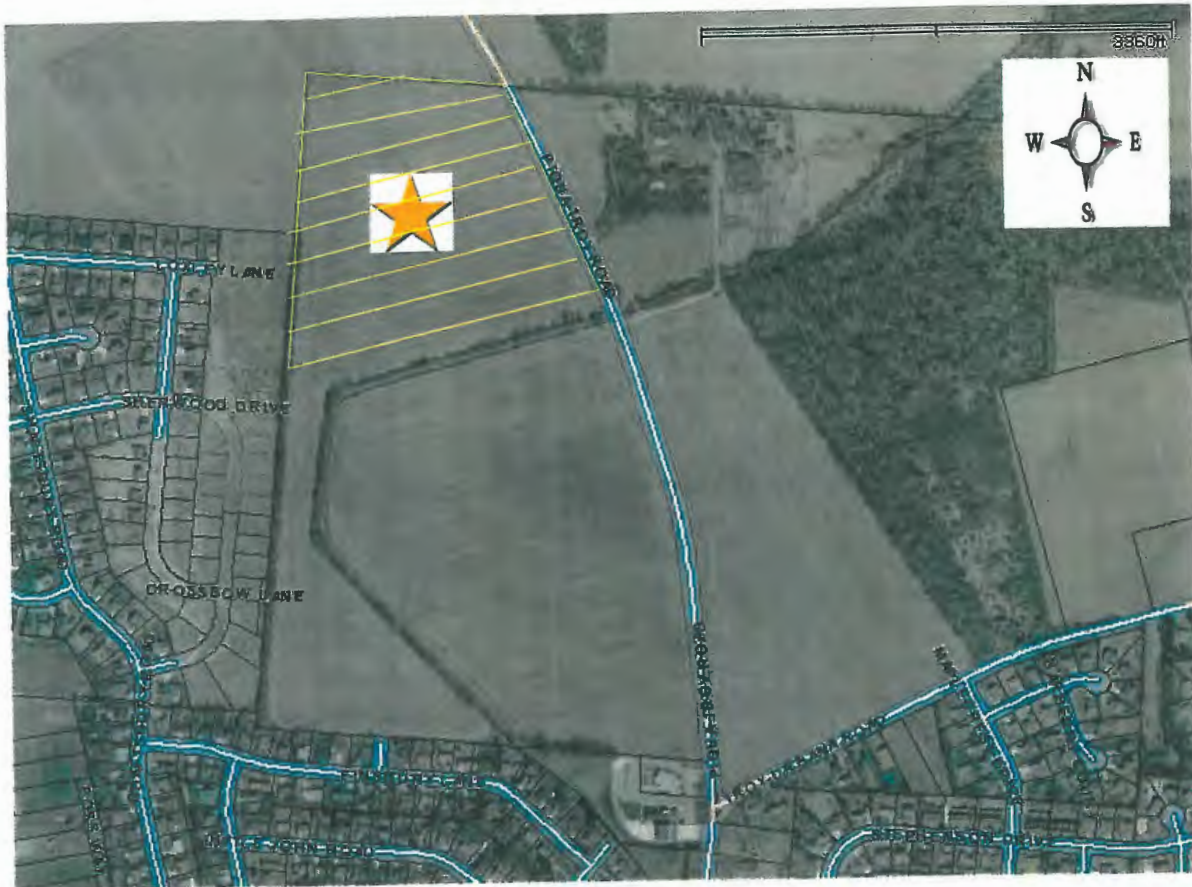


EXHIBIT 'B'
LEGAL DESCRIPTION
FOR ZONING CHANGE
FROM AGRICULTURE-RESIDENTIAL TO R-3B

BEING A PART OF INLOT NUMBER 9891 IN THE CITY OF TROY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Beginning at the intersection of the north line of Inlot 9891 and the centerline of Troy-Piqua Road (North Market Street);

thence, South 24°-43'-39" East, 893.73 feet, along the centerline of Troy-Piqua Road, to a point;

thence, South 65°-04'-30" West, 216.41 feet, to a point;

thence, South 70°-52'-08" West, 649.51 feet, to a point;

thence, North 52°-12'-08" West, 147.69 feet, to a point;

thence, South 76°-05'-13" West, 160.36 feet, to a point;

thence, South 37°-53'-38" West, 139.71 feet, to a point;

thence, North 85°-55'-30" West, 96.20 feet, to a point in the east line of Nottingham Subdivision, Section 8A and the west line of Inlot 9891;

thence, North 04°-04'-30" East, 565.20 feet, along the east line of Nottingham Subdivision, Section 8A and the west line of Inlot 9891, to a point;

thence, North 04°-10'-00" East, 665.80 feet, along the west line of Inlot 9891, to the northwest corner of same;

thence, South 85°-41'-00" East, 803.90 feet, along the north line of Inlot 9891, to the principal place of beginning.

Containing 25.422 acres more or less being rezoned to R-3B.



City of Troy

TO: Mrs. Baker, President, Troy City Council

FROM: Sue Knight, for the Troy Planning Commission

DATE: April 15, 2015

SUBJECT: **REPORT OF THE PLANNING COMMISSION ON A REZONING APPLICATION FROM A-R, AGRICULTURAL-RESIDENTIAL DISTRICT, TO R-3-B, SINGLE-FAMILY RESIDENTIAL DISTRICT FOR PART OF INLOT 9891**

On April 8, 2015, the Troy Planning Commission considered the rezoning of part of Inlot 9891 (part of parcel D45-002548) from A-R, Agricultural-Residential District, to R-3-B, Single-Family Residential District. This area proposed to be rezoned consists of 25.422 acres of undeveloped land, and is located west of Piqua-Troy Road and east of the Nottingham Subdivision. R-3-B zoning has a minimum lot size of 12,000 square feet. The land owner is TTF Brown, LLC. The applicant is Nottingham Development, LLC; Jessica Minesinger, President.

The Commission had received a report from City staff, which was reviewed as part of the meeting discussion. That report indicates that the intended use of the property is a residential development. A copy of the information provided to the Commission is attached.

The applicant commented that this would be the last area of the Nottingham Subdivision; the proposed zoning would result in approximately 50 total lots, developed in three sections, and an anticipated build out schedule of about 12 houses per year.

The Planning Commission determined not to hold a public hearing on this rezoning application.

By unanimous vote, the Troy Planning Commission recommends to Troy City Council that Council approve the rezoning of part of Inlot 9891 (part of Parcel D45-002548) on Piqua-Troy Road from Agricultural-Residential to R-3-B, Single-Family Residential District, as requested by the applicant and as recommended by City staff based on:

- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- o The proposed rezoning is consistent with the surrounding zoning districts; and
- o Proposed use is consistent with permitted uses in the R-3-B district; and
- o The proposed rezoning is consistent with the City of Troy Comprehensive Plan;
- o The development would provide a second point of ingress and egress for the residents of the existing Nottingham Subdivision by requiring access to Piqua-Troy Road, and allows the city to require the looping of utility lines in the area.

This request is forwarded herewith to Council for consideration.

The Public Hearing before Council has been set for the May 18 meeting of Council.

The following information will be attached as part of this report.

- Information provided by City staff, which included the report of staff and a listing of permitted uses for both zoning districts.
- Copy of the draft minutes of the April 8 meeting of the Planning Commission.

Encl.

| | |
|--|---|
| TO: | Troy Planning Commission |
| FROM: | Planning Staff |
| DATE: | April 8, 2015 |
| SUBJECT: | Rezoning: Pt of Inlot 9891 (25.422 acres) |
| OWNER: | TTF Brown LLC |
| APPLICANT: Nottingham Development, Inc. (Jessica Minesinger) | |

BACKGROUND:

Jessica Minesinger, President of Nottingham Development, Inc., has applied for Planning Commission to consider allowing the rezoning of part of Inlot 9891, parcel D45-002548 (25.422 ac.) located west of Piqua-Troy Road. Currently the property is zoned A-R Agricultural-Residential, and the applicant requests that the zoning of the parcel be rezoned to R-3-B Single-Family Residential.

The land is currently undeveloped and located west of Piqua-Troy Road and east of the Nottingham Subdivision. The surrounding zoning districts include County Zoning of A-2 General Agriculture to the north, City of Troy zoning of Agricultural-Residential to the east, Office-Commercial Zoning (OC-1) to the south, and R-4 Single-Family Residential to the west of the parcel. A map depicting the surrounding zoning districts has been attached to this report

DISCUSSION:

The applicant has cited that the reasons for the proposed rezoning are to develop the property as an extension of the Nottingham subdivision.

The Zoning Code describes the current A-R zoning district as “designated to provide for both agricultural and residential activity on large tracts and open land with a minimum of five (5) acres or greater of lot per dwelling unit. This district is mapped in undeveloped areas along existing roadways where there is minimal water and sewer service.”

The Zoning Code describes the proposed R-3-B zoning district as “designed to accommodate single-family dwellings on lots with areas of at least twelve thousand (12,000) square feet per dwelling unit. This district will be mapped for selected areas which will develop in the future. The Comprehensive Plan describes the R-3-B District as medium density.”

Attached to this report is a list of all the A-R and R-3-B zoning districts uses. Also attached is a list that shows comparisons between permitted uses of each zoning district.

The Comprehensive Plan’s Future Land Use Map (Figure 14-2) displays this property as future residential use. Specifically, in Chapter 14, under the Northeast Sub-Area, the Comprehensive Plan states “The desired future residential development for this area is low-density residential, due to the both the characteristics of the land and the adjacent uses to the south. The existing road network cannot support unrestricted or increased

numbers of similar residential densities. With future improvements to the road network, however, higher densities could be accommodated.”

In accordance with the Thoroughfare Plan, the City is in the process of improving the road network in the area and is making a significant improvement to the intersection of Piqua-Troy Rd. & Troy-Urbana Road. With the improvements, any future residential development on this property can be handled by the current road network.

A copy of Figure 14-2 has been attached to this report.

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.

The proposed rezoning is consistent with the Zoning Code. Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value, and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes.

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.

The proposed rezoning is not made necessary because of changing conditions in the affected area. The proposed use will not have any adverse effects in the area and is similar to the residential uses that currently exist to west

(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.

The proposed use is compatible and similar to the residential uses that currently exist to west and will provide a second point of ingress and egress to the residents of the Nottingham Subdivision.

(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.

All utilities can be provided.

(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land

unavailable for development.

In the vicinity of the subject property, there is no available vacant land with the R-3-B zoning classification.

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.

Not applicable in this request.

PUBLIC HEARING:

Due to the straight forward nature of the rezoning request, the compliance with the City of Troy Comprehensive Plan, and the fact that City Council is required to hold a public hearing if the request proceeds on, staff does not feel that a public hearing before the Planning Commission is warranted.

RECOMMENDATION:

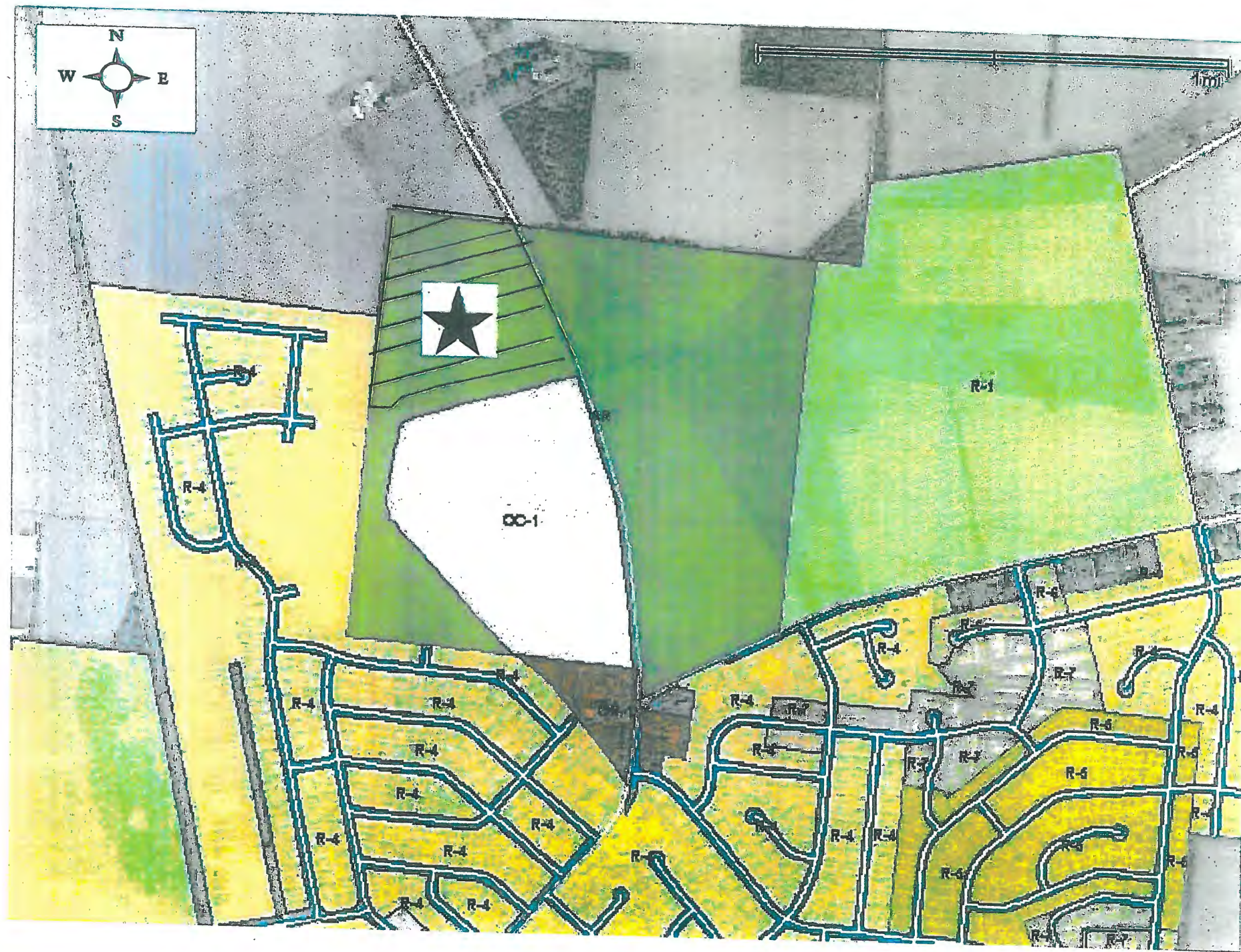
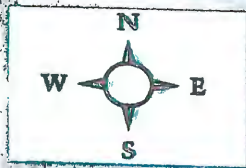
It is staff's opinion that the proposed rezoning will achieve the desired residential development as is discussed in the City of Troy's Comprehensive Plan. The intent of the R-3-B zoning district is to be mapped for selected areas which will develop in the future. The Comprehensive Plan shows this area to be development as residential.

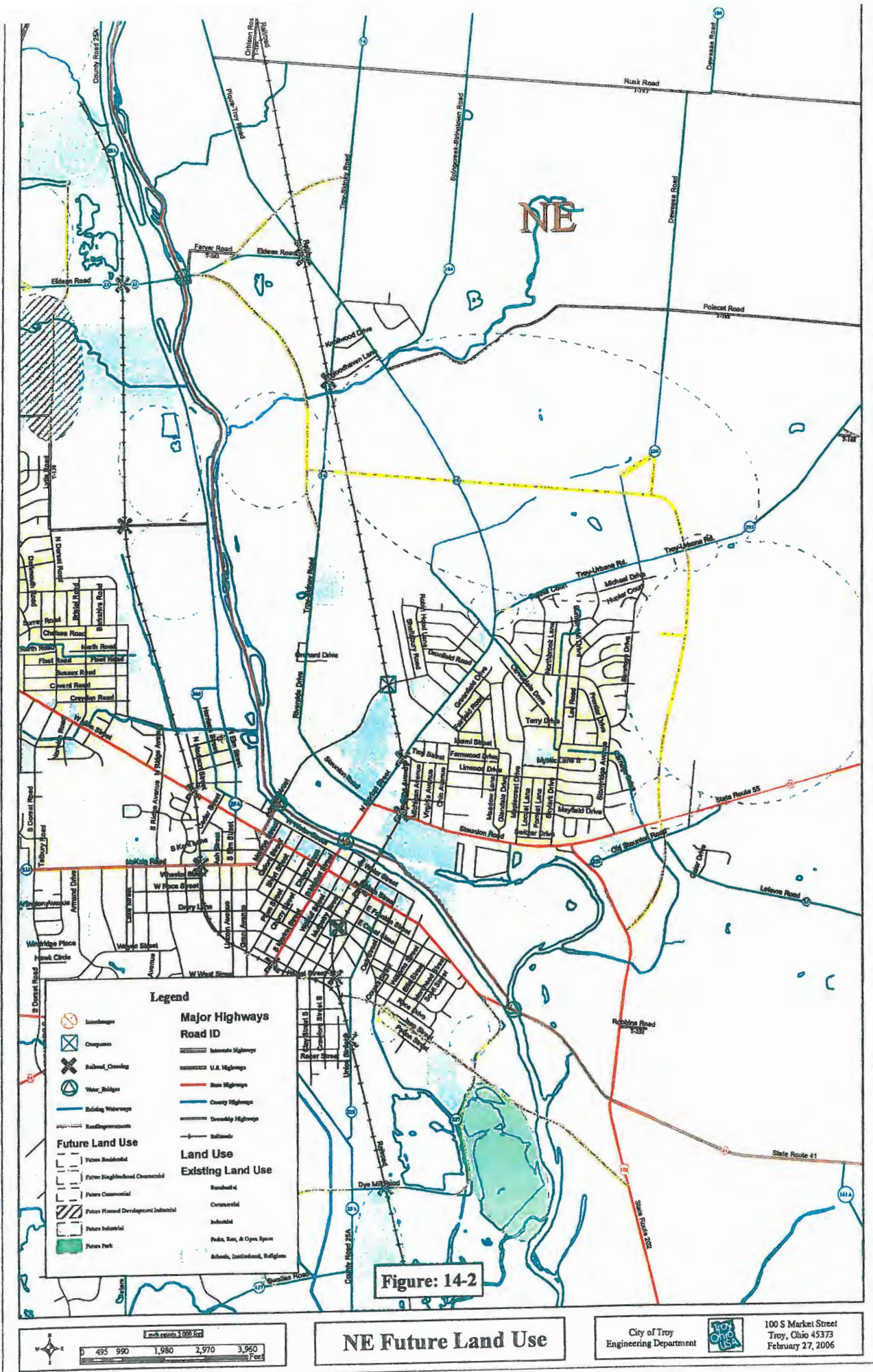
The proposed residential use will provide an opportunity for the City to provide a second point of ingress and egress for the residents of the existing Nottingham Subdivision by requiring access to Piqua-Troy Road and allows the city to require the looping of utility lines in the area.

Concerns related to traffic in this area are currently being addressed by the realignment of the Piqua-Troy & Troy-Urbana Rd. intersection. The realignment of this intersection should be completed in the near future.

Staff is recommending that the Planning Commission recommend approval of the proposed rezoning from A-R Agricultural-Residential to R-3-B Single-Family Residential, based on the following:

- The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- The proposed rezoning is consistent with the surrounding zoning districts; and
- Proposed use is consistent with permitted uses in the R-3-B district; and
- The proposed rezoning is consistent with the City of Troy Comprehensive Plan.





Scheduled Planning Commission Meeting
(Held every 2nd and 4th Wednesday of the month at 3:30 p.m.)

Date Requested: 4-8-15
Applicant(s) scheduled on the agenda will be notified

Office Use Only

Date Filed 4-2-15
Accepted by _____
Filing Fee Pd. \$150.00
Receipt # 20150118

APPLICATION IS DUE TWO (2) WEEKS PRIOR TO MEETING

Meeting Date: 4-8-15

APPLICATION FOR ZONING AMENDMENT CITY OF TROY PLANNING COMMISSION

(MUST BE TYPED OR PRINTED LEGIBLY IN BLACK INK)

(READ SECTION 1139 OF THE ZONING CODE BEFORE COMPLETING APPLICATION)

An application for an amendment to the City of Troy, Ohio Zoning Code that would change the zoning classification for the property located at Troy - Pigva Rd. - 25.422 AC.

(Street Address)

being lot number(s) PT IN LOT 9891 from AG-RES to R-3 B
(Parcel Identification Number) (Existing Zoning Classification) (Proposed Zoning Classification)

OWNER

Name TTF Brown, LLC
Address P.O. Box 1980
City Jarago
State N.D.
Zip Code 58107
Phone No. _____
Fax No. _____
Email _____

APPLICANT

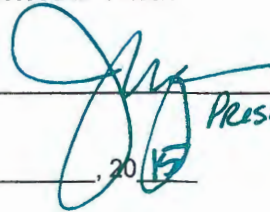
Name Nottingham Dev., Inc.
By: Jessica Minesinger, President
Address 7 S. Plum Street
City Troy
State OH
Zip Code 45373
Phone No. (937) 335-0110
Fax No. (937) 332-7701
Email jessicaminesinger@msn.com

The applicant is the Purchaser/Developer of the property, which is subject to this application.
(State the interest of the applicant)

PLEASE PROVIDE THE FOLLOWING:

1. The reasons for seeking a change in the zoning classification or zoning text: Attach as **EXHIBIT "A"**.
2. The legal description of the land proposed to be reclassified: Attach as **EXHIBIT "B"**.
3. A site plan prepared by a registered engineer, surveyor or architect in duplicate drawn to such scale as to clearly show:
 - a. The actual dimensions of the subject property according to the recorded plat of such property, lot numbers, it's present zoning classification, existing and proposed uses: Attach as **EXHIBIT "C"**.
 - b. The present zoning classification of all surrounding lands located within two hundred and fifty (250) feet of the land proposed to be reclassified: Attach as **EXHIBIT "D"**.
 - c. A list (see example) of the names, addresses, and lot numbers of the owners of property within a radius of two hundred and fifty (250) feet from the parcel or parcels of land proposed to be reclassified: Attach as **EXHIBIT "E"**
 - i. Include one (1) copy of County Tax Maps
 - ii. Include two (2) sets of mailing labels
4. 2 complete sets (Exhibits A-E) reproducible in a format no larger than 11"x17"
5. Filing Fee of \$150.00 made payable to the City of Troy

I HEREBY DEPOSE AND SAY THAT THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN ALL THE EXHIBITS PREPARED BY ME AND TRANSMITTED HERewith ARE TRUE.



President (Applicant Signature)

Subscribed and sworn to before me this 2 day of April, 2015

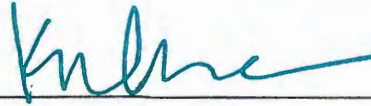


Commission Expires

9.8.19

(Month/Date/Year)

KAREN BOONE, Notary Public
In and for the State of Ohio
My Commission Expires 9.8.19
Recorded in Miami County



(Notary Public)

(For Office Use Only - Do Not Write Below This Line)

REQUIRED DOCUMENTS:

| | |
|------------|--|
| EXHIBIT A | Reasons for Zoning Reclassification |
| EXHIBIT B | Legal Description |
| EXHIBIT C | Site Plan: lot dimensions, lot numbers, current zoning, existing and proposed uses |
| EXHIBIT D | Site Map with Zoning & Owners within 250 feet of parcel |
| EXHIBIT E | Property Owners List within 250 feet of parcel |
| Labels | Two (2) Sets of Mailing Labels of Property Owners |
| Copies | Fifteen (15) Complete Sets in a reproducible format 11"x17" |
| Map(s) | One (1) County Tax Map(s) |
| Filing Fee | Check issued to City of Troy for \$150.00 |

Additional Documentation (List):

PLANNING COMMISSION DISPOSITION:

PUBLIC HEARING DATE

RECOMMENDATION TO CITY COUNCIL

CITY COUNCIL DISPOSITION:

1st Reading: 2nd: 3rd: PUBLIC HEARING DATE

COUNCIL COMMITTEE RECOMMENDATION

Approved: Denied: CITY COUNCIL ACTION

Ordinance Number:

Effective Date:

Revised 10/25/11

Date: April 1, 2015

Re: Application for Zoning Amendment – 25.4 Acres (In Lot 9891) – Troy-Piqua Road Troy, Ohio

On behalf of Nottingham Development, Inc., I am seeking a zoning amendment on 25.4 Acres located on Troy-Piqua Road in the City of Troy to R3-B Single Family Residential zoning. The parcel is contiguous to the Nottingham Subdivision and is currently zoned Ag-Residential.

We are seeking a zoning change to R-3B which requires a minimum of 12,000 s.f. lots. It is our intention to develop the property as an extension of the Nottingham neighborhood with 51 single family residential lots. The lots would be developed as Sections 9, 10 & 11 of Nottingham, comprising approximately 17 lots per section. The current Nottingham Covenants and Restrictions, including the square footage requirements, etc.) will be applied to these lots.

We will begin developing the final 19 lots of Nottingham this spring. This neighborhood has been a great addition to the City of Troy. The price range of homes is averaging \$275,000 - \$400,000 including lot.

Rezoning the 25.4 acre property from Ag-Residential to R3-B is a benefit to the City of Troy for the following reasons:

- The rezoning will provide additional lot inventory for homes in the \$275,000 – 400,000 price range
- Based on the current absorption rate in Nottingham, the 51 lots, once developed, would provide approximately 4-5 years of lot inventory.
- Rezoning to R3-B results in a lot density of 2 lots per acre
- The Nottingham subdivision is zoned R-4 (9,000 s.f. minimum lots). The R3-B zoning requested, requires larger lots that are a minimum of 12,000 s.f.
- This extension of Loxley Lane will provide access to Troy-Piqua Road for current Nottingham residents and will provide a second means of ingress and egress for the subdivision.
- The rezoning will facilitate the looping of utility lines for the existing subdivision and future development.
- Rezoning and development of this property will provide for the future removal of the existing sewer lift pump station in Nottingham.

Thank you for your time and consideration regarding this matter,

Jessica Minesinger, President
Nottingham Development, Inc.
7 S. Plum Street
Troy, Ohio 45373

937.335.0110 Phone

EXHIBIT 'B'
LEGAL DESCRIPTION
FOR ZONING CHANGE
FROM AGRICULTURE-RESIDENTIAL TO R-3B

BEING A PART OF INLOT NUMBER 9891 IN THE CITY OF TROY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Beginning at the intersection of the north line of Inlot 9891 and the centerline of Troy-Piqua Road (North Market Street);

thence, South 24°-43'-39" East, 893.73 feet, along the centerline of Troy-Piqua Road, to a point;

thence, South 65°-04'-30" West, 216.41 feet, to a point;

thence, South 70°-52'-08" West, 649.51 feet, to a point;

thence, North 52°-12'-08" West, 147.69 feet, to a point;

thence, South 76°-05'-13" West, 160.36 feet, to a point;

thence, South 37°-53'-38" West, 139.71 feet, to a point;

thence, North 85°-55'-30" West, 96.20 feet, to a point in the east line of Nottingham Subdivision, Section 8A and the west line of Inlot 9891;

thence, North 04°-04'-30" East, 565.20 feet, along the east line of Nottingham Subdivision, Section 8A and the west line of Inlot 9891, to a point;

thence, North 04°-10'-00" East, 665.80 feet, along the west line of Inlot 9891, to the northwest corner of same;

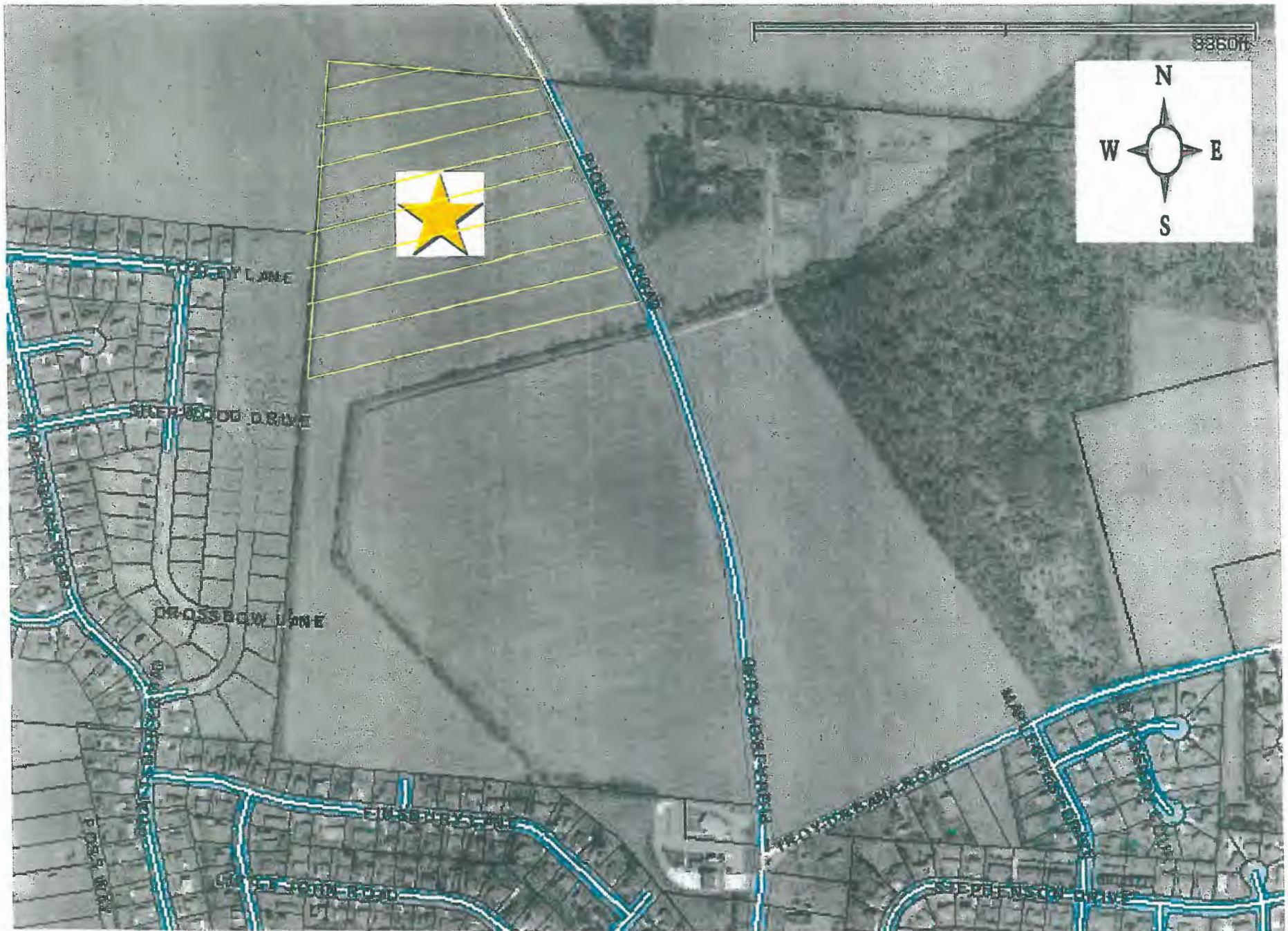
thence, South 85°-41'-00" East, 803.90 feet, along the north line of Inlot 9891, to the principal place of beginning.

Containing 25.422 acres more less being rezoned to R-3B.

COUNTY AG



25.422 acres, part of IL 9891, part of Parcel D45-002548



| | | | |
|--|---|--|--|
| | | | |
| | <u>A-R Agricultural-Residential Permitted Uses</u> | | <u>R-3-B Single-Family Residential Permitted Uses</u> |
| | ▪ Agricultural uses. | | ▪ Adult Family Home. |
| | ▪ Hydroponic farms. | | ▪ Churches, chapels, temples, synagogues. |
| | ▪ Public parks, playgrounds and community centers. | | ▪ Family Home. |
| | ▪ Public utility. | | ▪ Foster Family Home. |
| | ▪ Roadside stands – agricultural products grown on premises. | | ▪ Public parks, playgrounds and community centers. |
| | ▪ Schools – primary, intermediate and secondary – public or private. | | ▪ Public utility. |
| | ▪ Single family dwellings. | | ▪ Schools – primary, intermediate and secondary – public or private. |
| | ▪ Veterinary office – with boarding. | | ▪ Single family dwellings. |
| | ▪ Veterinary office – without boarding. | | |
| | | | |
| | <u>A-R Agricultural Residential District uses not permitted in the R-1 Zoning District</u> | | <u>R-3-B Single-Family Residential District uses not permitted in the A-R Zoning District</u> |
| | ▪ Agricultural uses. | | ▪ Adult Family Home. |
| | ▪ Hydroponic farms. | | ▪ Churches, chapels, temples, synagogues. |
| | ▪ Roadside stands – agricultural products grown on premises. | | ▪ Family Home. |
| | ▪ Veterinary office – with boarding. | | ▪ Foster Family Home. |
| | ▪ Veterinary office – without boarding. | | |

The applicant, Ethan Smith, was present, and provided a better rendering of the sign to show the color. It was stated that the green color is very close to the green in the sign at the restaurant Basil's on Market. In response to a question of Mr. Titterington, it was stated that the signs would not be lighted.

A motion was made by Mr. Titterington, seconded by Mayor Beamish, to approve the wall sign and window sign application for 23 1/2 E. Water Street as submitted, based on the exact colors of PMS 368 Green and Black as viewed by the Commission, and based on the findings of staff that:

- The sign is appropriate in design to the architectural style or period of the building with which it is associated; and
- The colors selected for the sign are compatible with the building with which it is associated; and

The sign is located to reasonably minimize adverse aesthetic effects on the architectural design of the building with which it is associated.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT REVIEW: 3 EAST WATER STREET FOR INSTALLATION OF A GROUND SIGN; OWNERS -

JEFFREY AND ROBIN ODA; APPLICANT - CHRISTINE SHELL: A report of the staff noted that: building is located at the north east corner of East Water Street and North Market Street; zoning is B-3 Central Business District; location is currently is the office of Zeal Coaching; description is building is a two story brick dwelling with an addition, the core building is in the Federal style, constructed in 1835 by William Barber, with additions in 1841 and 1847; property is not listed on the National Register of Historic Places; application is for a single faced ground sign in the front lawn area (location as in rendition provided with application); colors are computer generated and will be Roland RVW-DK30K, Process Yellow, Blue and Black; applicant will install appropriate landscaping around the base when the sign is installed; sign area requested in 11.44 square feet, less than the allowed area of 42 square feet of ground signage; the owner has provided written permission for the proposed sign; and staff recommends approval of the proposed wall sign, based on the following:

- The sign is appropriate in scale to the building with which it is associated; and
- The sign is appropriate in design to the architectural style or period of the building with which it is associated; and
- The colors selected for the sign are compatible with the building with which it is associated; and
- The sign is located to reasonably minimize adverse aesthetic effects on the architectural design of the building with which it is associated.

Both the owner, Robin Oda, and the applicant, Christine Shell, were present.

In response to questions of the Commission members, it was stated that the sign would not be lighted, the sign is approximately 5' in height and the post is approximately 7' - 8' in height and the sign will be installed so it is closer to the ground than the top of the post; and the shape of the sign includes a rounded top as shown in the application.

A motion was made by Mr. Titterington, seconded by Mrs. Mahan, to approve the ground sign application for 3 E. Water Street as submitted including location and landscaping, based on the exact colors of Roland RVW-DK30K, Process Yellow, Blue and Black Pantone Blue 3125, Black and White as viewed by the Commission, and based on the findings of staff that:

- The sign is appropriate in scale to the building with which it is associated; and
- The sign is appropriate in design to the architectural style or period of the building with which it is associated; and
- The colors selected for the sign are compatible with the building with which it is associated; and
- The sign is located to reasonably minimize adverse aesthetic effects on the architectural design of the building with which it is associated.

MOTION PASSED, UNANIMOUS VOTE

REZONING REQUEST - PART OF INLOT 9891 OF PARCEL D45-002548 ON PIQUA-TROY ROAD FROM

AGRICULTURAL-RESIDENTIAL TO R-3-B SINGLE-FAMILY RESIDENTIAL DISTRICT; OWNER: TTF BROWN LLC;

APPLICANT: NOTTINGHAM DEVELOPMENT INC. (JESSICA MINESINGER): A report of staff noted that: Jessica Minesinger, President of Nottingham Development, Inc., has applied for Planning Commission to consider allowing the rezoning of part of Inlot 9891, parcel D45-002548 (25.422 ac.) located west of Piqua-Troy Road; property is zoned A-R, Agricultural-Residential, and the applicant requests that the zoning of the parcel be rezoned to R-3-B Single-Family Residential; land is currently undeveloped and located west of Piqua-Troy Road and east of the Nottingham Subdivision; surrounding zoning districts include County Zoning of A-2, General Agriculture, to the north, City of Troy zoning of Agricultural-Residential to the east, Office-Commercial Zoning (OC-1) to the south, and R-4, Single-Family Residential, to the west of the parcel; applicant has indicated the property will be developed as an extension of the Nottingham subdivision; Zoning Code describes the current A-R zoning district as "designated to provide for both agricultural and residential activity on large tracts and open land with a minimum of five (5) acres or greater of lot per dwelling unit. This district is mapped in undeveloped areas along existing roadways where there is minimal water and sewer service"; Zoning Code describes proposed R-3-B zoning district as "designed to accommodate single-family dwellings on lots with areas of at least twelve thousand (12,000) square feet per dwelling unit. This district will be mapped for selected areas, which will develop in the future. The Comprehensive Plan describes the R-3-B District as medium density"; as a part of the staff report, the Commission received a list of all the A-R and R-3-B zoning districts uses and a list showing comparisons between permitted uses of each zoning district; Comprehensive Plan's Future Land Use Map (Figure 14-2) displays this property as future residential use; specifically Chapter 14 under the Northeast Sub-Area, the Comprehensive Plan states "The desired future residential development for this area is low-density residential, due to the both the characteristics of the land and the adjacent uses to the south. The existing road network cannot support unrestricted or increased numbers of similar residential densities. With future improvements to the road network, however, higher densities could be accommodated"; in accordance with the Thoroughfare Plan, the City is in the process of improving the road network in the area and is making a significant improvement to the intersection of Piqua-Troy Rd. & Troy-Urbana Road; with the improvements, any future residential development on this property can be handled by the current road network; and regarding the criteria on which to base zoning decisions, the staff report noted:

(A) Whether the change in classification would be consistent with the intent and purpose of this Zoning Code:

The proposed rezoning is consistent with the Zoning Code. Section 1131.02(o) & (r) state the purposes of the Zoning Code are to preserve and enhance property value, and direct particular land uses to the parcel of land best suited for them. The proposed rezoning request achieves these purposes.

(B) Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.

The proposed rezoning is not made necessary because of changing conditions in the affected area. The proposed use will not have any adverse effects in the area and is similar to the residential uses that currently exist to west.

(C) Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.

The proposed use is compatible and similar to the residential uses that currently exist to west and will provide a second point of ingress and egress to the residents of the Nottingham Subdivision.

(D) Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.

All utilities can be provided.

(E) The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.

In the vicinity of the subject property, there is no available vacant land with the R-3-B zoning classification.

(F) Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.

Not applicable in this request.

The staff report further noted that a public hearing by the Commission is not recommended due to the straightforward nature of the rezoning request, and that Council would hold a public hearing, and staff recommends approval based on:

- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- o The proposed rezoning is consistent with the surrounding zoning districts; and
- o Proposed use is consistent with permitted uses in the R-3-B district; and
- o The proposed rezoning is consistent with the City of Troy Comprehensive Plan;
- o The development would provide a second point of ingress and egress for the residents of the existing Nottingham Subdivision by requiring access to Piqua-Troy Road, and allows the city to require the looping of utility lines in the area.

Assistant Fire Chief Matt Simmons commented that from an access for response viewpoint, the Fire Department supports a second access into the Sherwood and Nottingham Subdivisions.

Jessica Minesinger, the applicant, commented that this would be the last area of the Nottingham Subdivision; it would be developed in three sections under the covenants and restrictions of the Nottingham Subdivision; there would be about 50 lots total which would allow for two lots per acre on an average; and it is anticipated the build out would be about 12 houses per year with a price range of \$275,000 - \$400,000.

Mr. Titterington asked the City Engineer about plans to look at the traffic flow related to Piqua-Troy Road and a deceleration lane may be necessary. Mrs. Rhoades commented that the Engineering Department will be working with the County regarding traffic and she will be looking at the traffic impact.

Public Hearing: A motion was made by Mr. Titterington, seconded by Mr. McGarry, that the Planning Commission not hold a public hearing on the rezoning of part of Inlot 9891, noting that Council will hold a public hearing.

MOTION PASSED, UNANIMOUS VOTE

Recommendation: A motion was made by Mr. McGarry, seconded by Mrs. Mahan, to recommend to Troy City Council that Council approve the rezoning of part of Inlot 9891 of Parcel of Parcel D45-002548 on Piqua-Troy Road from Agricultural-Residential to R-3-B, Single-Family Residential District, as requested by the applicant and as recommended by City staff based on:

- o The proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code; and
- o The proposed rezoning is consistent with the surrounding zoning districts; and
- o Proposed use is consistent with permitted uses in the R-3-B district; and
- o The proposed rezoning is consistent with the City of Troy Comprehensive Plan;
- o The development would provide a second point of ingress and egress for the residents of the existing Nottingham Subdivision by requiring access to Piqua-Troy Road, and allows the city to require the looping of utility lines in the area.

MOTION PASSED UNANIMOUS VOTE.

There being no further business, the meeting adjourned at 3:53 p.m.

Respectfully submitted,

Chairman

Secretary



ITEMS OF INTEREST

TO: Mayor Beamish
Mrs. Baker, President of Council
Council Members

FROM: Patrick E. J. Titterington, Director of Public Service and Safety

A handwritten signature in blue ink, likely belonging to Patrick E. J. Titterington, the Director of Public Service and Safety.

DATE: May 15, 2015

We are providing the following for your information:

- The following contracts have been awarded:
 - Curbside Recycling Program for FY 2015-2017 was awarded to Rumpke of Ohio, Inc. in the amount of \$623,750.40 (\$311,875.20 for each contract year). Council authorized \$400,000 per year for this program. Rumpke is the current vendor. Under this new contract, we will be switching to 65 gallon containers on wheels. These new containers are expected to be ready to be delivered to the residents in about eight weeks. This larger size container will allow a resident to recycle more materials, so we hope it will encourage more recycling. Also, as the container will have a lid, there will be less incidents of the recycled materials blowing around. Because this system is less labor intensive for the contractor, the new contract is only a slight increase over the expiring contract cost, even though it is based on more collection points. With these containers, the contractor will be able to use an automated system of the driver being able to manipulate the equipment to empty the container without exiting the vehicle. This new system will require the City to assess the alleys where recycling is currently collected as the size and/or configuration of several alleys will not accommodate the type of collection vehicle being used. A number of alley collections will need to be changed to street collections. The City and the contractor will be working together to provide information to citizens regarding the new containers, where they should be placed (i.e. not next to a mailbox), and specifically working on the communication to the residents where the collection site will need to be moved from the alley
 - Treasure Island Marina and Park Improvements Project was awarded to Double Jay Construction, Inc. in the amount of \$1,686,352. There will be change orders as more information is available. Council authorized \$1,873,000 for this project.

- McKaig Road Improvements Phase 2 was awarded to Finrock Construction Co., Inc. in the amount of \$864,000. Council authorized \$1,142,000. Staff is looking into extending boundaries of the project due to the funding availability.
- Major Project Update:
 - Sidewalk Program 8 – work has restarted with the remainder of the sidewalk marked for replacement. Once the contract is complete, assessments will be finalized.
 - Barnhart Road, Arthur Road, Oak Street, Scott Street & Frank Street Waterlines – Barnhart/SR-718 water main installation is complete and water main is online. Restoration and driveway culverts are progressing. Oak Street water main installation and testing is complete. Restoration is commencing along Oak Street.
 - Adams Street Phase 2 – contractor is working on the bike path portion of the project, and the bike path access ramp work will commence after the Troy Strawberry Festival. The Hobart Arena Sign has been installed but activation of the sign is still dependent on the schedule of DP&L. The Community Park fence railing has been installed.
 - Sewer Lining Project – Miller Pipeline is lining in Southview and northeast of the river. Miller Pipeline is also progressing with lining of manholes in conjunction with the sanitary sewer lining. Downtown manhole replacement is complete. Layne Inliner has completed lining the Southwest Interceptor and a walk through for final site restoration was performed this week.
 - ODOT Paving - staff is working with ODOT regarding the paving along SR 55 on the west side of town as well as the traffic circle. ODOT has issued the Final Legislation which City Council passed and our payment has been made. Paving is scheduled to commence after the Troy Strawberry Festival. Paving will occur during the night between Sunday - Thursday. Affected tenants are being contacted with the help of downtown organizations.
 - Water Tower - Council authorized an agreement for the design of a new Extra High Service Water Tower with the firm of EMH&T. The design kick-off meeting was held and potential sites determined. The City Engineer has contacted property owners to discuss the available opportunities for water tower siting along Washington Road and West Stanfield Road. Positive feedback on potential sites has been received. Site analysis is proceeding by the design engineer.
- In recognition of the Memorial Day Holiday, City Offices will be closed on Monday, May 25, 2015. Residential trash and recycling will be picked up on Memorial Day. There will be no delay in these collections. The Dye Mill Road facility will also be open on Memorial Day.

- Local Veterans Organizations have scheduled the following for Memorial Day:
 - A brief ceremony will be held on the Adams Street Bridge at 10:00 a.m.
 - The Memorial Day Ceremonies at Veterans Memorial Park in Riverside Cemetery will start at 10:30 a.m.
- Other information provided by City departments is attached.

Upcoming Events at Hobart Arena

| | |
|-------------------|--|
| May 19, 2015 | Troy High School Awards Assembly |
| May 21, 2015 | Upper Valley Career Center Graduation |
| May 22, 2105 | Miami East Graduation |
| May 23, 2015 | Troy High School Graduation |
| May 24, 2015 | Covington High School Graduation |
| July 9 – 12, 2015 | Troy Skating Club Summer Skating Competition |
| November 20, 2015 | Great White and Slaughter Concert |

Prouty Plaza Schedule

| | | |
|---------------|------------|------------------------------------|
| May 18, 2015 | 11:45 a.m. | Troy Jazz Band Concert |
| May 20, 2015 | 11:45 a.m. | 7 th Grade Band Concert |
| May 21, 2015 | 11:45 a.m. | 8 th Grade Band Concert |
| May 24, 2015 | 7:00 p.m. | Troy Civic Band Concert |
| May 29, 2015 | 5:00 p.m. | Troy Streets Alive |
| June 25, 2015 | 8:00 p.m. | Cincinnati Symphony Concert |
| June 26, 2015 | 7:30 p.m. | Eric Jeradi Band Concert |
| June 28, 2015 | 7:00 p.m. | Troy Civic Band Concert |

Calendar of Meetings

| | | |
|--------------|---------------------|-------------------------------|
| May 18, 2015 | 7:00 p.m. Council | City Hall Council Chambers |
| May 20, 2015 | 1:00 a.m. Rec Board | City Hall Council Chambers |
| June 1, 2015 | 7:00 p.m. Council | City Hall Council Chambers |

If you have any questions, please do not hesitate to contact this office.

Enclosure

cc: Department Heads



Operations
Items of Interest
May 15, 2015

Street – Including Solid Waste – Jerry Mullins, Foreman

- Collected and transported 257 tons of residential trash since the last report of 261 tons.
- Delivered recycling bins as requested.
- Sign shop worked on various sign projects.
- Asphalted 12 main breaks and 19 areas marked for repair.
- Dura-patched over 50 areas marked for repair.
- Made asphalt repairs with our infrared machine.
- Repaired catch basin and concrete on West Main Street.
- Continued our right-of-way and ditch mowing operations.
- Collected T-bags and brush. Several letters were sent out for non-compliant brush piles. We continue to remind citizens that brush must be bundled or placed in T-bags in order for it to be collected by the city. We also are reminding citizens that the Dye Mill Road Facility is open, and we offer that facility in lieu of placing brush at the curb.
- Delivered barricades for the Hayner Whiskey Run and Troy Christian 5K.
- Repaired a large main break on North Ridge Avenue with the help of the City of Vandalia's paving box and three employees from their Street Department; their assistance was instrumental in accomplishing this extremely large repair.
- Cleaned the downtown area.

Electrical – Brian Ferree, Foreman

- Completed Ohio Utilities Protection Service requests as needed.
- Installed a new traffic loop at South Mulberry Street and East Simpson Street.
- Performed electrical repairs on the main filtration pump at the Troy Aquatic Park.
- Repaired the UV unit at the Wastewater Treatment Plant.
- Repaired several street lights, and installed an underground speaker wire on the levee.
- Installed two new lights above the customer service windows for the Billing and Collections Office at City Hall.
- Repaired an electrical issue with the Street Division's Dura-Patcher.
- Installed a new LED light on the side of the girls' softball announcer's booth at the North Market Street Ball Field.
- Replaced several parts on the diesel fuel pumps at the Maintenance Facility.
- Installed two new LEDs and a photo-cell on the gazebo on the levee.

Water Distribution/Sewer Maintenance - Tom Parsons, Foreman

- Marked numerous Ohio Utilities Protection Service tickets.
- Investigated numerous high consumption alerts.
- Completed a number of work orders for Billing and Collection.

- Shut-off non-payment customers and reconnected as payments were made.
- Upgraded water services on Grant Street and on Ridge Avenue.
- Investigated a leak in a line at the Water Treatment Plant.
- Flushed the lines and took bacteria samples at Barnhart Road and State Route 718, and also on Oak Street.
- Pressure tested water line at Barnhart Road and State Route 718.
- Replaced catch basins on East Race Street, Grant Street, the corner of Cherry Street and Drury Lane, Crawford Street and East Main Street, and at West Race Street between Union Street and Oak Street.
- TV'd the sanitary lines on Sherwood Drive and Southview Drive.
- Vacuumed out tanks for the Wastewater Treatment Plant.
- Vacuumed out the pit at Miami Shores Golf Course.
- Vacuumed two holes for pole replacements on Experiment Farm Road due to an auto accident.

Water Treatment Plant – Jeff Monce

- For the month of April 2015, the WTP pumped a total of 101.651 million gallons (MG) to our distribution system and customers in West Milton and parts of Miami County (avg. 3.388 MG/day). Total precipitation recorded at the WTP for April was 4.72". Respective totals for April in previous years are:

| | |
|--------------|--------------------------|
| <u>2014:</u> | <u>103.817 MG; 6.39"</u> |
| <u>2013:</u> | <u>120.765 MG; 4.13"</u> |
| <u>2012:</u> | <u>123.590 MG; 1.34"</u> |
| <u>2011:</u> | <u>109.412 MG; 8.73"</u> |
| <u>2010:</u> | <u>114.774 MG; 1.77"</u> |
| <u>2009:</u> | <u>111.287 MG; 3.96"</u> |
| <u>2008:</u> | <u>114.187 MG; 1.04"</u> |
| <u>2007:</u> | <u>116.194 MG; 2.91"</u> |
| <u>2006:</u> | <u>116.400 MG; 3.90"</u> |
| <u>2005:</u> | <u>145.609 MG; 3.79"</u> |
| <u>2004:</u> | <u>154.965 MG; 2.31"</u> |

- Nine bulk water account holders withdrew a total of 201,750 gallons from the WTP Bulk Water Station during the month of April; revenue total \$1,766.03.
- A total of 8,856,508 gallons were pumped to the Extra High Service pressure zone in northwest Troy by the EHS Booster Station for April 1-30, for an average daily consumption in that zone of 0.2952 MG.
- Contractor has completed the touch-up recoating of the Train 2 clarifiers, fulfilling their 1-year inspection and warranty obligations under the 2012 clarifier contract. Recoating of the Air Stripper tower was also completed.
- The Train 1 sludge controls SCADA upgrade is nearly complete. New MicroLogix 1400 PLC's and a Panelview C400 HMI have been installed.
- Provided a tour and a brief presentation on ground water flow and source protection for 38 2nd grade students from Heywood School.
- Vendor installed a new high speed pump, 30 hp. motor, and 73' of flexible drop pipe in Well 17. A new control cabinet will be installed within the month.
- City electricians diagnosed and corrected thermal overload deficiencies at Well #13 and returned it to service.
- Vendor completed the analysis of Air Stripper performance at reduced airflow settings. Results indicate the air/water ratio can be reduced substantially with no loss of VOC removal capability. The air stripper process will be restarted this week at reduced airflows in an attempt to minimize rapid scaling and frequent pump failures.

Wastewater Treatment Plant – Tim Snider

- Began disinfection season on May 1, and this will run through October 31.
- Don Knife passed the Class 1 Laboratory Analyst Certification Exam in Columbus.
- Reviewed the RFP's for the biosolids management agreement.
- Received 4 RFP's for design and engineering services for the influent pump replacement project.
- Cleaned grease and debris from in front of the equalization basin influent gate.
- Working with vendor to install a reactor filter in line with WAS #1 VFD. This will eliminate the overvoltage trips that we have been experiencing.
- Cleaned grease and debris from sanitary pump stations.
- Cleaned debris from pumps at the sanitary lift stations. Performed semi-annual preventive maintenance at Southview and Kirk Lane pump stations.
- Vendor completed annual crane and hoist inspections.
- Staff completed required preventive maintenance work orders.
- Average Daily Effluent Flow for April was 7.37 MGD.
- Average Daily Effluent Total Suspended Solids for April was 5.32 MG/L with 95.1% removal efficiency.
- Average Daily Effluent C-BOD5 for April 9.5 MG/L with 93.7% removal efficiency.

Items of Interest
Engineering Department
May 13, 2015

| PROJ # | PROJECT | ACTIVE PROJECTS STATUS |
|--------------------|--|--|
| 2013-11 | Barnhart Road, Arthur Road, Oak Street, Scott Street & Frank Street Waterlines | Contract was awarded to Sturm Construction. Work and restoration is complete along Scott and Frank Streets. Barnhart/SR-718 water main installation and testing is completed, and the water main is online. Restoration including driveway culverts are progressing. Oak Street water main installation and testing is complete. Restoration is commencing along Oak Street. |
| 2013-12 | Finsbury, Governors, & Race Waterlines | Contract was awarded to Finrock Construction. All water main is installed. The contractor is performing punch list items prior to final completion including record drawings. |
| 2014-04 2014-05 | Southview & NE River Sewer Relining SW Interceptor Relining | Contract has been awarded to Layne Inliners and Miller Pipeline. We will be notifying property owners as necessary for this project. Layne Inliners has completed the lining of the SW interceptor and a walk through for final site restoration was performed this week. Miller Pipeline is lining in Southview and NE of the river; Miller Pipeline is also progressing with lining of manholes in conjunction with the sanitary sewer lining. Downtown manhole replacement is complete. |
| 2013-14 | Adams Street Phase 2 | This phase of the project is between the Adams Street Bridge and Staunton Road. Project was awarded to LJ DeWeese. Underground utility work is complete. Stone wall work is complete and railing has been installed. Contractor is working on bike path portion of the project. Bike path access ramp will commence after TSF. Decorative poles have been installed. Hobart Arena sign has been installed, and electrical service is dependent upon DP&L. |
| 2013-02 | Piqua-Troy/Troy-Urbana Intersection | Troy-Urbana Road is on schedule and opened on May 1. Final restoration and punch list items are being performed. Site distance issues to the north are being reviewed. |
| 2015-01 | MIA - Troy East Main Street Downtown Streetscape (PID 93240) | ODOT will fund a portion of this project. Design has been done by Poggemeyer Design Group and has been approved by ODOT. Council authorized the AEB's recommendation of modified assessments and Council authorized the bidding of the project. The bid opening was held on May 6 and due to bids exceeding the authorized amount, Council will consider an increased authorization at the May 18 meeting. The increased bid cost has not increased assessment estimates. |
| 2014-16 | Hobart Arena Renovation and Expansion | Council approved the recommendation to enter into an agreement with MSA Architects for the design of this work. Design development is progressing and bid alternates are being analyzed. |
| 2014-17 | Marina & Boathouse Renovation | The contract was awarded to Bruns General Contracting. Work is completed on the internal portion of the tower, with the external tower cap work remaining. |
| 2014-18 | Treasure Island Marina & Park Improvements | Council approved bidding the project in an amount not to exceed \$1,873,000. MCD approved the design. The contract was awarded to Double Jay Construction, Inc. |
| 2014-07 | McKaig Road Improvements Phase 2 | This phase includes work from Monroe Street to Madison Street (RR tracks). Design is complete and is being coordinated with utility companies and CSX. CSX application for a storm sewer has been submitted. Council authorized bidding the project in the amount not to exceed \$1,142,000. The contract was awarded to Finrock Construction Company. |

Items of Interest
Engineering Department
May 13, 2015

| PROJ # | PROJECT | ACTIVE PROJECTS STATUS |
|------------------------------|--------------------------------------|--|
| 2014-12 | Extra High Service (EHS) Water Tower | Council authorized an agreement for the design of a new Extra High Service Water Tower with the firm of EMH&T. The design kick-off meeting was held and potential sites determined. The City Engineer has contacted property owners to discuss the available opportunities for water tower siting along Washington Road and West Stanfield Road. Positive feedback on potential sites has been received. Site analysis is proceeding by the design engineer. |
| 2014-03 | Water Regionalization Study | Council has authorized a contract with RA Consultants. Staff has submitted all requested information for evaluation, Workshop #2 was held, and the project will continue. Staff and the consultant met with West Milton to discuss details of their existing water system. A separate meeting with Miami County will be scheduled in the near future when RA is ready to proceed with a similar Sewer Regionalization meeting. |
| 2015-05 | Sewer Regionalization Study | Council has authorized a contract with RA Consultants, LLC. The executed agreement has been returned to RA Consultants, LLC. |
| 2015-03 | Washington Road Waterline | Staff entered into an agreement with Choice One Engineering Company for the design of a water loop along Washington Road from West Main Street to West Stanfield Road. Design will begin in early summer. |
| 2015-04 | Nottingham Subdivision Sewer Gravity | Access Engineering, LLC has been authorized to design a gravity sewer from the Nottingham Subdivision to Piqua-Troy Road at Troy-Urbana Road. Design will begin in early summer. |
| ANNUAL/OTHER PROJECTS | | |
| 2014-21 | Sidewalk Program 8 | Council authorized bidding for the Phase 8 sidewalks where the property owner did not take out a permit to do the work. Project was awarded to J.F. Weber. Work has restarted with the remainder of the sidewalk marked for replacement. Once the contract is complete, assessments will be finalized. |
| 2015-14 | Paving Program | Council authorized a paving program in the amount of \$1,068,000. That amount includes paving of City streets and other City properties. The contract is being awarded to the only bidder, John R. Jurgensen Co. |
| | ODOT Paving (PID 91802) | Staff is working with ODOT regarding the paving along SR 55 on the west side of town as well as the traffic circle. ODOT has issued the Final Legislation which City Council passed and our payment has been made. Paving is scheduled to commence after the Troy Strawberry Festival. Paving will occur during the night between Sunday - Thursday. Affected tenants are being contacted with the help of downtown organizations. |

Items of Interest
Engineering Department
May 13, 2015

| PROJ # | PROJECT | ACTIVE PROJECTS STATUS |
|---------------------------|---|--|
| | VV Lighting Street Light Contract - Street Light Conversion | Staff has started working with Miami Valley Lighting (MVL) and MVCC to determine the best way to convert the City's Mercury Vapor (MV) street lights to High Pressure Sodium (HPS) street lights as required by law. As a trial, LED street lights have been installed on Plum Street, Short Street, Adams Street, and along Shaftsbury Road at Adams Street. Street light additions and possible excess lighting are being monitored in conjunction with the Police Department. |
| | Engineering Electronic File Reorganization | Staff has been working with an outside contractor to make the Engineering electronic files organized in such a way that all staff can have access to most documents. This will improve efficiency with document filing and is expected to reduce the volume of space necessary to keep the electronic files. Staff is re-implementing project numbers as well. Record drawings organization and personnel file clean-up continues. |
| 2015-11 | Updating City Construction Standards | Staff is working with Choice One Engineering to update our standards. |
| | GPS Data Collection | Collection of data continues. |
| | Sidewalk, Sewer, and Sump Inspections | Inspections are continuing to be completed when requested. |
| SUBDIVISION STATUS | | |
| | Dickerson | Section 2 is awaiting final course of asphalt. |
| | Edgewater | Section 8 is awaiting final course of asphalt. |
| 2015-07 | Halifax | Section 1 underground utilities installation is commencing. |
| 2007-25 | Hawk's Nest | Section 2 awaiting final course of asphalt. |
| 2015-06 | Nottingham | Section 8 construction will begin in the next couple of weeks and expected to be completed in July. |
| | Oakmont | Section 5 is awaiting final punch list and final course of asphalt. |
| | Pleasantview Estates | Section 4 plat has been approved. Construction has not yet begun. |
| | Stonebridge Meadows | Section 1 is complete. Section 2-B awaiting final course of asphalt. Section 3 construction is tentatively expected to occur in June. |

MEMO

To: Patrick Titterington, Director of Public Service and Safety

From: Tim Davis, Planning & Zoning Manager

Date: May 14, 2015

Subject: Planning Division Update

I have attached two reports which summarize concerns that are being addressed by the Planning Division from April 29, 2015 to May 14, 2015. The first report shows all permits that were issued by the Planning Division. The report contains the address and type of permit and separates the information by each ward. There were 48 permits issued during this time period.

The second report contains the address, type of concern, and a summary of the current status of on-going issues. Both open and closed concerns are listed and are separated by each ward.

As in the past, all costs associated with the removal of trash and elimination of noxious weeds will be invoiced to the property owner. If the property owner does not pay the invoice, the cost will be assessed to the property taxes.

CITY OF TROY
 PERMIT WORK TYPE STATISTICS REPORT
 PERMIT DATE: 04/29/2015 TO 05/14/2015

05/14/2015
 09:27 AM

| SUBTOTALS | PERMITS | FEEES | EST. COST |
|---------------------------|---------|-------------|-----------|
| ----- | | | |
| F FENCE | 7 | 70.00 | 0 |
| OC OFFICE | 1 | 50.00 | 0 |
| OC OTHER | 1 | 50.00 | 0 |
| OC RESTAURANT | 1 | 50.00 | 0 |
| S BANNER | 2 | 50.00 | 0 |
| S REFACE | 2 | 75.00 | 0 |
| S WALL SIGN | 5 | 136.13 | 0 |
| ST SEWER TAP - RES | 4 | 4,800.00 | 0 |
| SU SUMP | 5 | 0.00 | 0 |
| T COMMERCIAL | 1 | 50.00 | 0 |
| T SALE | 1 | 50.00 | 0 |
| WT WATER TAP-RES | 4 | 8,000.00 | 0 |
| Z ADDITION TO RESIDENCE | 1 | 25.00 | 0 |
| Z CONCRETE PAD/PADS | 1 | 25.00 | 0 |
| Z DECK | 1 | 25.00 | 0 |
| Z DUMPSTER | 1 | 101.54 | 0 |
| Z GAZEBO | 1 | 0.00 | 0 |
| Z PARKING LOT ADDTN-COMM | 1 | 350.00 | 0 |
| Z PATIO COVER | 1 | 25.00 | 0 |
| Z PICNIC SHELTER | 1 | 103.00 | 0 |
| Z SHED | 2 | 50.00 | 0 |
| Z SINGLE FAMILY RESIDENCE | 2 | 141.36 | 0 |
| Z SINGLE FAMILY W/BASMNT | 2 | 178.61 | 0 |
| ===== | | | |
| GRAND TOTAL | 48 | \$14,405.64 | |

CITY OF TROY - WARD ONE
PERMIT REPORT
04/29/2015 TO 05/14/2015

05/14/2015
09:11 AM

| | | | | |
|----------|----------|----------------|-------------------|-------|
| 2015031F | 5/7/2015 | 451 LOCUST LN | CARTWRIGHT, NANCY | 0 |
| FENCE | | N/A | 451 LOCUST LN | 10.00 |
| | | N/A | | LV 0 |
| | | FENCE - 5/4/15 | TROY, OH 45373 | NL 0 |
| | | 0/0/ | | BA 0 |

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| | | | | |
|----------|----------|--------------------|-----------------------|-------|
| 2015027F | 5/1/2015 | 1325 MAPLECREST DR | SHAFFER, JOHN AND PAM | 0 |
| FENCE | | D08058722 | 1325 MAPLECREST DR | 10.00 |
| | | N/A | | LV 0 |
| | | FENCE - 4/23/15 | TROY, OH 45373 | NL 0 |
| | | NORTHBROOK 3 | | BA 0 |

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| | | | | |
|----------|----------|--------------------|---------------------|-------|
| 2015028F | 5/4/2015 | 562 STONYRIDGE AVE | SCHIRTZINGER, JAMES | 0 |
| FENCE | | N/A | 8963 DEEP FOREST LN | 10.00 |
| | | N/A | | LV 0 |
| | | FENCE - 5/1/15 | DAYTON, OH 45458 | NL 0 |
| | | N/A | | BA 0 |

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| | | | | |
|----------|----------|---------------------|---------------------|--------|
| 2015053Z | 5/5/2015 | 1002 STONYRIDGE AVE | WEYANT, GENE | 0 |
| SHED | | D08056111 | 1002 STONYRIDGE AVE | 25.00 |
| | | N/A | | LV 0 |
| | | SHED - 4/30/15 | TROY, OH 45373 | NL 160 |
| | | HERITAGE HILL 7 | | BA 0 |

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CITY OF TROY - WARD TWO
PERMIT REPORT
04/29/2015 TO 05/14/2015

05/14/2015
09:11 AM

| | | | | |
|-------------|-----------|------------------------------------|-----------------|-------|
| 2015050Z | 4/29/2015 | 913 CROSSBOW LN | BATTISTA, BEN | 0 |
| PATIO COVER | | NA | 913 CROSSBOW LN | 25.00 |
| | | 10211 | | 264 |
| | | COVER OVER CONCRETE SLAB - 4/27/15 | TROY, OH 45373 | 0 |
| | | NOTTINGHAM FOUR | | 0 |
| | | 0/0/ | | 0 |

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| | | | | |
|----------|-----------|---|-----------------|------|
| 2015051Z | 4/29/2015 | 439 ELM ST N | CITY OF TROY | 0 |
| GAZEBO | | N/A | 100 MARKET ST S | |
| | | N/A | | LV 0 |
| | | CITY OF TROY-GAZEBO/AMPHITHEATER-4/2015 | TROY, OH 45373 | NL 0 |
| | | 0/0/ | | BA 0 |

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| | | | | | |
|----------|----------|------------------|----------------------|-------|-----------------------|
| 2015057Z | 5/7/2015 | 700 GOVERNORS RD | TRENT, CECIL & DONNA | 0 | WHISPERING OAKS |
| SHED | | N/A | 700 GOVERNORS RD | 25.00 | 5172 CO RD 25A S |
| | | 9806 | | LV | 0 TIPP CITY, OH 45371 |
| | | SHED - 5/4/15 | TROY, OH 45373 | NL | 120 937-669-9265 |
| | | NOTTINGHAM | | BA | 0 |

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| | | | | | |
|----------|----------|-----------------------------|-------------------|-------|------------------------|
| 2015003T | 5/6/2015 | 409 MAIN ST E | ST PATRICK CHURCH | 0 | WOLF AWNING & TENT |
| SALE | | N/A | 409 MAIN ST E | 50.00 | 3352 ST. RT. 571 W |
| | | N/A | | LV | 0 GREENVILLE, OH 45331 |
| | | ST PATRICK'S (TENTS) 5/4/15 | TROY, OH 45373 | NL | 0 937-548-4161 |
| | | | | BA | 0 |

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| | | | | | |
|-----------------------|----------|--------------------------------|------------------|-------|---|
| 2015058Z | 5/7/2015 | 1221 MARKET ST N | DUNAVENT, ALAN | 0 | |
| ADDITION TO RESIDENCE | | N/A | 1221 MARKET ST N | 25.00 | |
| | | N/A | | LV | 0 |
| | | PORCH LANDING & STEPS - 5/5/15 | TROY, OH 45373 | NL | 0 |
| | | N/A | | BA | 0 |

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| | | | | | |
|-----------|----------|-----------------|------------------------|----|------|
| 2015016SU | 5/7/2015 | 720 SHERWOOD DR | KEYSTONE HOMES IN TROY | 0 | |
| SUMP | | N/A | PO BOX 980 | | |
| | | 10398 | | LV | 1833 |
| | | SUMP - 5/7/15 | TROY, OH 45373 | NL | 2345 |
| | | | | BA | 1833 |

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| | | | | | |
|------------------------|-----------|-----------------------|------------------|--------|---|
| 2015062Z | 5/14/2015 | 316 WATER ST W | IMPROVE TROY LTD | 0 | |
| PARKING LOT ADDTN-COMM | | N/A | 301 MAIN ST W | 350.00 | |
| | | N/A | | LV | 0 |
| | | PARKING LOT - 2/25/14 | TROY, OH 45373 | NL | 0 |
| | | | | BA | 0 |

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CITY OF TROY - WARD THREE
 PERMIT REPORT
 04/29/2015 TO 05/14/2015

05/14/2015
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| | | | | | |
|----------|-----------|-------------------|-------------------------|-------|---|
| 2015033F | 5/14/2015 | 114 FRANKLIN ST E | BLYTHE, DUSTIN & ASHLEY | 0 | |
| FENCE | | N/A | 114 FRANKLIN ST E | 10.00 | |
| | | N/A | | LV | 0 |
| | | FENCE - 5/7/15 | TROY, OH 45373 | NL | 0 |
| | | | | BA | 0 |

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| | | | | | |
|------------|-----------|------------------------|--------------------|-------|---|
| 2015004T | 5/11/2015 | 722 GRANT ST | COLE, BOB | 0 | |
| COMMERCIAL | | N/A | 1251 MULBERRY ST S | 50.00 | |
| | | N/A | | LV | 0 |
| | | KOINOS - TENT - 5/7/15 | TROY, OH 45373 | NL | 0 |
| | | N/A | | BA | 0 |

0/0/

2015041S 5/14/2015 101 MARKET ST S DAVEY, HEATHER 0
WALL SIGN N/A 1640 SURREY RD
N/A LV 0
ARK & ECHO-SIGN-4/23/15 TROY, OH 45373 NL 0
0/0/ BA 0

2015039S 5/13/2015 103 MARKET ST S DAVEY RENTALS 0
BANNER N/A 1640 SURREY RD 25.00
N/A LV 0
NY BAGEL & DELI-TEMPORARY SIGN-4/21/15 TROY, OH 45373 NL 0
0/0/ BA 0

2015040S 5/13/2015 117 MARKET ST S DAVEY RENTALS 0
BANNER N/A 1640 SURREY RD 25.00
N/A LV 0
ELIZABETH MARIE FASHIONS- SIGN-4/21/15 TROY, OH 45373 NL 0
0/0/ BA 0

2015061Z 5/13/2015 251 UNION ST S FRAZIER, JAY 0
DUMPSTER N/A 3400 POTOMAC CREEK CT 101.54
N/A LV 0
DUMPSTER ENCLOSURE 5/15 ORLANDO, FL - NL 154
N/A 0/0/ BA 0

CITY OF TROY - WARD FOUR
PERMIT REPORT
04/29/2015 TO 05/14/2015

05/14/2015
09:11 AM

2015055Z 5/6/2015 2607 DURHAM ST PERKINS, DUSTIN & ALLYSON 0
DECK D08103836 2607 DURHAM ST 25.00
N/A LV 0
SHED - 5/4/15 TROY, OH 45373 NL 192
KENSINGTON 7 0/0/ BA 0

2015012SU 5/7/2015 1337 GOLDEN EAGLE DR RYAN HOMES 0 RYAN HOMES
SUMP N/A 884 PLEASANT VALLEY DR 884 PLEASANT VALLEY
10421 LV 2229 SPRINGBORO, OH 45066
SUMP - 5/5/15 SPRINGBORO, OH 45066 NL 1381 937-521-3306
0/0/ BA 945

| | | | | |
|-------------------------|-----------|---------------------------------------|------------------------|------------------------------|
| 2015013SU | 5/7/2015 | 1347 GOLDEN EAGLE DR | RYAN HOMES | 0 |
| SUMP | | N/A | 884 PLEASANT VALLEY DR | |
| | | 10422 | | LV 2229 |
| | | SUMP - 5/5/15 | SPRINGBORO, OH 45066 | NL 1381 |
| | | | | BA 945 |
| | | | 0/0/ | |
| / | | | | |
| 2979ST | 5/5/2015 | 1357 GOLDEN EAGLE DR | RYAN HOMES | 0 RYAN HOMES |
| SEWER TAP - RES | | N/A | 884 PLEASANT VALLEY DR | 1200.00 884 PLEASANT VALLEY |
| | | 10423 | | LV 1680 SPRINGBORO, OH 45066 |
| | | 5/8" SEWER TAP - RESIDENTIAL - 5/4/15 | SPRINGBORO, OH 45066 | NL 400 937-521-3306 |
| | | | 0/0/ | BA 0 |
| | | | | |
| / | | | | |
| 1238WT | 5/5/2015 | 1357 GOLDEN EAGLE DR | RYAN HOMES | 0 RYAN HOMES |
| WATER TAP-RES | | N/A | 884 PLEASANT VALLEY DR | 2000.00 884 PLEASANT VALLEY |
| | | 10423 | | LV 1680 SPRINGBORO, OH 45066 |
| | | 1" WATER TAP - RESIDENTIAL - 5/4/15 | SPRINGBORO, OH 45066 | NL 400 937-521-3306 |
| | | | 0/0/ | BA 0 |
| | | | | |
| / | | | | |
| 2015056Z | 5/6/2015 | 1357 GOLDEN EAGLE DR | RYAN HOMES | 0 RYAN HOMES |
| SINGLE FAMILY RESIDENCE | | N/A | 884 PLEASANT VALLEY DR | 70.80 884 PLEASANT VALLEY |
| | | 10423 | | LV 1680 SPRINGBORO, OH 45066 |
| | | SGL FAMILY RESIDENCE - 5/4/15 | SPRINGBORO, OH 45066 | NL 400 937-521-3306 |
| | | | 0/0/ | BA 0 |
| | | | | |
| / | | | | |
| 2015014SU | 5/7/2015 | 1405 GOLDEN EAGLE DR | RYAN HOMES | 0 |
| SUMP | | N/A | 884 PLEASANT VALLEY DR | |
| | | 10425 | | LV 2229 |
| | | SUMP - 5/5/15 | SPRINGBORO, OH 45066 | NL 1381 |
| | | | | BA 945 |
| | | | 0/0/ | |
| | | | | |
| / | | | | |
| 1236WT | 4/30/2015 | 1424 GOLDEN EAGLE DR | RYAN HOMES | 0 RYAN HOMES |
| WATER TAP-RES | | N/A | 884 PLEASANT VALLEY DR | 2000.00 884 PLEASANT VALLEY |
| | | 10438 | | LV 1680 SPRINGBORO, OH 45066 |
| | | 1" WATER TAP - RESIDENTIAL - 4/29/15 | SPRINGBORO, OH 45066 | NL 1100 937-521-3306 |
| | | | 0/0/ | BA 700 |
| | | | | |
| / | | | | |
| 2015052Z | 5/1/2015 | 1424 GOLDEN EAGLE DR | RYAN HOMES | 0 RYAN HOMES |
| SINGLE FAMILY W/BASMNT | | N/A | 884 PLEASANT VALLEY DR | 77.80 884 PLEASANT VALLEY |
| | | 10438 | | LV 1680 SPRINGBORO, OH 45066 |
| | | SGL FAMILY W/BASEMENT - 4/29/15 | SPRINGBORO, OH 45066 | NL 1100 937-521-3306 |
| | | | 0/0/ | BA 700 |
| | | | | |
| / | | | | |
| 2977ST | 4/30/2015 | 1424 GOLDEN EAGLE DR | RYAN HOMES | 0 RYAN HOMES |
| SEWER TAP - RES | | N/A | 884 PLEASANT VALLEY DR | 1200.00 884 PLEASANT VALLEY |
| | | 10438 | | LV 1680 SPRINGBORO, OH 45066 |

| | | | | |
|--|----------------------|--|------------------------|-----------------------------|
| 5/8" SEWER TAP - RESIDENTIAL - 4/29/15 | SPRINGBORO, OH 45066 | NL | 1100 | 937-521-3306 |
| 0/0/ | | BA | 700 | |
| / | | | | |
| 2015015SU | 5/7/2015 | 1436 GOLDEN EAGLE DR | RYAN HOMES | 0 |
| SUMP | | N/A | 884 PLEASANT VALLEY DR | |
| | | 10435 | | LV 2725 |
| | | SUMP - 5/5/15 | SPRINGBORO, OH 45066 | NL 1737 |
| | 0/0/ | | | BA 1246 |
| / | | | | |
| 1237WT | 4/30/2015 | 1627 GRAY HAWK CT | RYAN HOMES | 0 RYAN HOMES |
| WATER TAP-RES | | N/A | 884 PLEASANT VALLEY DR | 2000.00 884 PLEASANT VALLEY |
| | | 10453 | | LV 0 SPRINGBORO, OH 45066 |
| | | 1" WATER TAP - RESIDENTIAL - 4/22/15 | SPRINGBORO, OH 45066 | NL 0 937-521-3306 |
| | | | | BA 0 |
| / | | | | |
| 2978ST | 4/30/2015 | 1627 GRAY HAWK CT | RYAN HOMES | 0 RYAN HOMES |
| SEWER TAP - RES | | N/A | 884 PLEASANT VALLEY DR | 1200.00 884 PLEASANT VALLEY |
| | | 10453 | | LV 0 SPRINGBORO, OH 45066 |
| | | 5/8" SEWER TAP - RESIDENTIAL - 4/22/15 | SPRINGBORO, OH 45066 | NL 0 937-521-3306 |
| | | | | BA 0 |
| / | | | | |
| 2015060Z | 5/13/2015 | 1191 HORIZON WEST CT | 75 DEVELOPMENT | 0 |
| PICNIC SHELTER | | N/A | PO BOX 354 | 103.00 |
| | | N/A | | LV 0 |
| | | LUNCH SHELTER 5/15 | TROY, OH 45373 | NL 300 |
| | | N/A | | BA 0 |
| / | | | | |
| 2015059Z | 5/11/2015 | 1147 PARKVIEW DR | HARLOW BUILDERS INC. | 0 HARLOW BUILDERS |
| SINGLE FAMILY RESIDENCE | | NA | 701 N MARKET ST | 70.56 701 MARKET ST N |
| | | 9857 | | LV 1551 TROY, OH 45373 |
| | | SINGLE FAMILY RESIDENTIAL 5/15 | TROY, OH 45373 | NL 505 937-339-9944 |
| | | EDGEWATER THREE | | BA 0 |
| / | | | | |
| 2015029F | 5/5/2015 | 2672 RENWICK WAY | HARVEY, NICHOLAS | 0 |
| FENCE | | D08102914 | 2672 RENWICK WAY | 10.00 |
| | | N/A | | LV 0 |
| | | FENCE - 5/1/15 | TROY, OH 45373 | NL 0 |
| | | KENSINGTON 1 | | BA 0 |
| / | | | | |
| 2015049Z | 4/29/2015 | 2407 WORTHINGTON DR | LEE, LARRY | 0 |
| CONCRETE PAD/PADS | | D08103190 | 2407 WORTHINGTON DR | 25.00 |
| | | N/A | | LV 0 |
| | | PATIO, SHED W/ CONCRETE PAD - 4/24/15 | TROY, OH 45373 | NL 564 |
| | | KENSINGTON 3 | | BA 0 |
| / | | | | |

| | | | | |
|------------|-----------|----------------------|-----------------|---------|
| 2015033OC | 4/29/2015 | 100 MARKET ST W | MORRISON, DICK | 0 |
| RESTAURANT | | N/A | 100 MARKET ST W | 50.00 |
| | | N/A | | LV 1873 |
| | | DUCKY'S (OC) 4/24/15 | TROY, OH 45373 | NL 0 |
| | | | | BA 0 |

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CITY OF TROY - WARD FIVE
PERMIT REPORT
04/29/2015 TO 05/14/2015

05/14/2015
09:11 AM

| | | | | |
|----------|-----------|-----------------|-----------------|-------|
| 2015032F | 5/11/2015 | 874 BRANFORD RD | SWARTS, SARINA | 0 |
| FENCE | | D08057774 | 874 BRANFORD RD | 10.00 |
| | | N/A | | LV 0 |
| | | FENCE 5/15 | TROY, OH 45373 | NL 0 |
| | | WESTBROOK 12 | | BA 0 |

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| | | | | |
|----------|-----------|----------------------------------|----------------|-------|
| 2015033S | 4/29/2015 | 1313 MAIN ST W | BRIGGS, DAVID | 0 |
| REFACE | | N/A | 3460 REDBUD DR | 25.00 |
| | | N/A | | LV 0 |
| | | C & D CYCLES-SIGN REFACE-4/28/15 | TROY, OH 45373 | NL 0 |
| | | | | BA 0 |

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| | | | | |
|-----------|-----------|-----------------------|----------------|------------------------------|
| 2015038S | 5/11/2015 | 29 NORWICH RD S | VEROS, LLC | 0 SIGN DYNAMICS |
| WALL SIGN | | N/A | 7 PLUM ST S | 30.63 2781 THUNDERHAWK COURT |
| | | N/A | | LV 0 DAYTON, OH 45414 |
| | | ADDN'L WALL SIGN 5/15 | TROY, OH 45373 | NL 0 937-264-2070 |
| | | N/A | | BA 0 |

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| | | | | |
|-----------|-----------|---|----------------|---------|
| 2015035OC | 5/11/2015 | 29 NORWICH RD S | VEROS, LLC | 0 |
| OTHER | | N/A | 7 PLUM ST S | 50.00 |
| | | N/A | | LV 2000 |
| | | SALSA CITY/MEDICAL MASSAGE (OC) - 5/6/1 | TROY, OH 45373 | NL 0 |
| | | N/A | | BA 0 |

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| | | | | |
|-----------|----------|--|----------------------------|-------|
| 2015036S | 5/4/2015 | 1405 STONYCREEK RD | RICHARD PIERCE INVESTMENTS | 0 |
| WALL SIGN | | N/A | 22 RACE ST W | 32.00 |
| | | N/A | | LV 0 |
| | | RICHARD PIERCE INVESTMENTS-SIGN-5/1/15 | TROY, OH 45373 | NL 0 |
| | | | | BA 0 |

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CITY OF TROY - WARD SIX
 PERMIT REPORT
 04/29/2015 TO 05/14/2015

05/14/2015
 09:11 AM

| | | | | |
|------------------------------------|----------|--|--|---|
| 2015034OC OFFICE | 5/1/2015 | 1275 EXPERIMENT FARM RD D08056316 N/A CFA STAFFING (OC) 5/1/15 / | SINGER PROPERTIES 110 MAIN ST N, SUITE 1330 0/0/ | 0 50.00 LV 1848 NL 0 BA 0 |
| 2015035S WALL SIGN | 5/1/2015 | 1275 EXPERIMENT FARM RD D08056316 N/A CFA STAFFING-SIGN-4/24/15 / | SINGER PROPERTIES 110 MAIN ST N, SUITE 1330 0/0/ | 0 HAAS SIGNS 35.00 3055 S CO RD 25A LV 0 TROY, OH 45373 NL 0 937-552-7787 BA 0 |
| 2015054Z SINGLE FAMILY W/BASMNT | 5/6/2015 | 2234 LARKSPUR DR N/A 10498 SGL FAMILY W/BASEMENT - 5/1/15 / | HARLOW BUILDERS 701 MARKET ST N TROY, OH 45373 0/0/ | 0 HARLOW BUILDERS 100.81 701 MARKET ST N LV 2166 TROY, OH 45373 NL 2915 937-339-9944 BA 2166 |
| 2980ST SEWER TAP - RES | 5/5/2015 | 2234 LARKSPUR DR N/A 10498 5/8" SEWER TAP - RESIDENTIAL - 5/1/15 / | HARLOW BUILDERS 701 MARKET ST N TROY, OH 45373 0/0/ | 0 HARLOW BUILDERS 1200.00 701 MARKET ST N LV 2166 TROY, OH 45373 NL 2915 937-339-9944 BA 2166 |
| 1239WT WATER TAP-RES | 5/5/2015 | 2234 LARKSPUR DR N/A 10498 1" WATER TAP - RESIDENTIAL - 5/1/15 / | HARLOW BUILDERS 701 MARKET ST N TROY, OH 45373 0/0/ | 0 HARLOW BUILDERS 2000.00 701 MARKET ST N LV 2166 TROY, OH 45373 NL 2915 937-339-9944 BA 2166 |
| 2015034S WALL SIGN | 5/1/2015 | 2309 MAIN ST W N/A N/A CHECK INTO CASH - SIGN - 5/1/15 / | LEE, DR. DONG 809 SWAN CREEK RD E FT WASHINGTON, MD 20744 0/0/ | 0 KAP SIGNS 38.50 1608 KUNTZ RD LV 0 DAYTON, OH 45404 NL 0 937-223-2155 BA 0 |
| 2015030F FENCE | 5/6/2015 | 2921 PARKWOOD DR D08103346 N/A FENCE - 5/4/15 CARRIAGE CROSSING 5 / | DAVIDSON, WILLIAM & MARGARET 2921 PARKWOOD DR TROY, OH 45373 0/0/ | 0 10.00 LV 0 NL 0 BA 0 |

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|----------|----------|---------------------|-----------------------|----|-------|
| 2015037S | 5/8/2015 | 2015 STANFIELD RD W | SELECT ASSOCIATES LLC | | 0 |
| REFACE | | N/A | 645 FARVER RD | | 50.00 |
| | | N/A | | LV | 0 |
| | | SIGN 5/15 | TROY, OH 45373 | NL | 0 |
| | | N/A | | BA | 0 |

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0/0/

CITY OF TROY - WARD ONE
VIOLATIONS BY FILE DATE
04/29/2015 TO 05/14/2015

| | | | | | |
|----------|--|------------------|----------|---------------|----------|
| 05/01/15 | 1131 GETTYSBURG DR | ZONING PROBLEMS | 05/01/15 | 08/29/15 | |
| 20150588 | | HERITAGE HILL 8 | | | |
| | 5-1-15 sb They have covered their front porch with no permit. Certificate, follow up 6-2-15. | | | | |
| | 5-12-15 sb Mr. Landers tel. He will be in today to get his permit. | | | | |
| 05/01/15 | 1131 GETTYSBURG DR | FENCE PROBLEMS | 05/01/15 | 08/29/15 | |
| 20150589 | | HERITAGE HILL 8 | | | |
| | 5-1-15 sb Installed a fence without a permit. The gate has a header on it make it taller than 6'. Certificate, follow up | | | | |
| | 5-15-15. | | | | |
| | 5-12-15 sb Mr. Landers tel. He will be in today to get permit and will get the posts lowered today. | | | | |
| 05/01/15 | 1336 WRIGHT CIR | TRASH & DEBRIS | 05/01/15 | 08/29/15 | 05/06/15 |
| 20150590 | | HERITAGE HILL 4 | | TRASH REMOVED | |
| | 5-1-15 sb Pile of leaves in the street. Originally wrote up as 1333 Wright Circle, but they didn't belong to that address. They belong here. Certificate, follow up 5-6-15. | | | | |
| | 5-4-15 sb Sharon Yount tel. Leaves have been removed. Very upset, said that the City is too unfriendly. | | | | |
| | 5-6-15 sb Leaves gone. Close. | | | | |
| 05/05/15 | 1131 GETTYSBURG DR | ZONING PROBLEMS | | | 05/05/15 |
| 20150624 | | HERITAGE HILL 8 | | NO VIOLATION | |
| | 5-5-15 sb Received call in complaint that the property owner here put new gravel over existing gravel but extended where there was no gravel previously. I inspected the property. Compared to the aerial from 2011, the existing gravel is in the exact same place - no extension. No violation. Close. | | | | |
| 05/06/15 | 1234 LEE RD | VEHICLE ON GRASS | 05/06/15 | 08/04/15 | |
| 20150654 | | HERITAGE HILL 8 | | | |
| | 5-6-15 sb Complaint of trailer on grass. Certified, follow up 5-18-15. | | | | |
| 05/06/15 | 1167 STONYRIDGE AVE | VEHICLE ON GRASS | 05/06/15 | 08/04/15 | |
| 20150655 | | N/A | | | |
| | 5-6-15 sb Camper on grass. Certified, follow up 5-18-15. | | | | |
| 05/07/15 | 1201 HILLTOP CIR | TRASH & DEBRIS | 05/07/15 | 09/04/15 | 05/12/15 |
| 20150676 | | N/A | | TRASH REMOVED | |
| | 5-7-15 sb Couch and loveseat in ROW. Certified, follow up 5-15-15. | | | | |
| | 5-12-15 sb Green card dated 5-8-15. Follow up 5-13-15. | | | | |
| | 5-12-15 sb Trash gone. Close. | | | | |
| 05/07/15 | 0 HUNTERS RIDGE DR | TALL WEEDS/GRASS | | 05/06/16 | |
| 20150675 | | N/A | | | |
| | 5-7-15 sb Tall weeds in detention area. Certificate, follow up 5-14-15. | | | | |

CITY OF TROY - WARD TWO
VIOLATIONS BY FILE DATE
04/29/2015 TO 05/14/2015

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|----------|--|---------------------|----------|----------|--|
| 04/29/15 | 404 MICHIGAN AVE | TEMP SIGN-NO PERMIT | 04/29/15 | 08/27/15 | |
| 20150572 | | CULBERTSON HEIGHTS | | | |
| | 4-29-15 dp Noticed a temp business sign in the front yard Certificate letter follow up 5-7-15. | | | | |
| | 5-8-15 sb Sign still there. The original letter that went out did not have the removal language in it. Re-sending letter with removal language. Certificate, follow up 5-13-15. If not removed, I'll pull it myself. | | | | |

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|----------|--|----------------------|---------------|----------|----------|
| 04/30/15 | 219 ELM ST S | TALL WEEDS/GRASS | 04/30/15 | 04/29/16 | |
| 20150582 | | N/A | | | |
| | 4-30-15 sb Having Mary Jo publish Tall grass/weed ad in paper for this property. Follow up 5-12-15. | | | | |
| | 5-4-15 sb Ad to be published 5-6-15. Follow up 5-12-15. | | | | |
| | 5-12-15 sb Grass tall, send to OZ, follow up 5-26-15. | | | | |
| 04/30/15 | 16 MARKET ST N | TRASH & DEBRIS | 04/30/15 | 08/28/15 | 05/04/15 |
| 20150581 | | | TRASH REMOVED | | |
| | 4-30-15 dp Received a phone complaint from Robin from Subhouse regarding toilets and vanities from the neighbor at 16 N Market St. I phoned Mr Bastian 4-29-15 and he said it would be removed. I have not sent a letter but will do so if this is not removed in a timely matter. Follow up 5-4-15. | | | | |
| | 5-4-15 dp Debris removed close. | | | | |
| 05/01/15 | 607 INDIANA AVE | TALL WEEDS/GRASS | 05/01/15 | 04/30/16 | |
| 20150584 | | CULBERTSON HEIGHTS | | | |
| | 5-1-15 sb Tall grass. Certificate, follow up 5-7-15. | | | | |
| | 5-8-15 sb Grass ok, follow up 5-21-15. | | | | |
| 05/01/15 | 607 INDIANA AVE | TRASH & DEBRIS | 05/01/15 | 08/29/15 | 05/08/15 |
| 20150586 | | CULBERTSON HEIGHTS | TRASH REMOVED | | |
| | 5-1-15 sb Misc trash around the yard. Certificate, follow up 5-7-15. | | | | |
| | 5-8-15 sb Trash gone. Close. | | | | |
| 05/01/15 | 607 INDIANA AVE | PROPERTY MAINTENANCE | 05/01/15 | 08/29/15 | |
| 20150587 | | CULBERTSON HEIGHTS | | | |
| | 5-1-15 sb The gutters/downspouts are not connected to anything and falling off of the house, the front door has no screen or glass, the bottom metal piece of the door is half hanging out of the frame, the spring is broken and the door stands open, the cellar door in the rear is broken and big holes in the wood. Work orders. Certificate, follow up 6-2-2015. | | | | |
| 05/01/15 | 609 INDIANA AVE | JUNK VEHICLE | 05/01/15 | 08/29/15 | 05/12/15 |
| 20150591 | | CULBERTSON HEIGHTS | VEHICLE MOVED | | |
| | 5-1-15 sb Maroon van parked on grass, expired plates 4/2010. Certified, follow up 5-12-15. | | | | |
| | 5-4-15 sb Frank Cromer tel. He claims the tags are good until 2/16. When Capt Long ran them, they were expired in 2010. | | | | |
| | 5-7-15 sb Green card dated 5-4-15, follow up 5-12-15. | | | | |
| | 5-12-15 sb Vehicle tagged. Close. | | | | |
| 05/01/15 | 609 INDIANA AVE | VEHICLE ON GRASS | 05/01/15 | 07/30/15 | 05/12/15 |
| 20150592 | | CULBERTSON HEIGHTS | VEHICLE MOVED | | |
| | 5-1-15 sb Maroon van parked on grass with expired tags. Certified, follow up 5-12-15. | | | | |
| | 5-7-15 sb Green card dated 5-4-12, follow up 5-12-15. | | | | |
| | 5-12-15 sb Vehicle moved. Close. | | | | |
| 05/04/15 | 183 TAMWORTH RD | TALL WEEDS/GRASS | 05/04/15 | 05/03/16 | |
| 20150612 | | N/A | | | |
| | 5-4-15 dp Tall grass/weeds certificate follow up 5-10-15. | | | | |
| | 5-7-15 dp Certificate returned. I checked with B&C and they show the owner as Matt Erwin at 2685 Broken Woods Dr. Troy. I will resend this certified to this new address. Follow up 5-13-15. | | | | |
| | 5-11-15 dp green card back dated 5-9-15 follow up 5-14-15. | | | | |
| | 5-11-15 dp Matt Erwin called and left a message that he actually does not own this property and does not know how his name is on it at B&C. I will have to print this in the paper and go from there. | | | | |
| | 5-13-15 dp This should be published Friday 5-15-15 and I will follow up 5-20-15. | | | | |
| 05/06/15 | 177 FINSBURY LN | TALL WEEDS/GRASS | 05/06/15 | 05/05/16 | |
| 20150636 | | SHERWOOD MANOR 2 | | | |
| | 5-5-15 dp tall grass and weeds will have to publish in the paper as the where abouts of this owner are unknown follow up 5-12-15. | | | | |
| | 5-11-15 dp Published in TDN Saturday 5-9-15 follow up 5-13-15. | | | | |
| | 5-13-15 dp Grass tall send to OZ follow up 5-27-15. | | | | |

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|--|-------------------|-------------------------------------|---------------------------|----------------------|
| 05/06/15 20150635 | 323 MAIN ST E | TALL WEEDS/GRASS | 05/06/15 | 05/05/16 |
| 5-5-15 dp Tall grass and weeds Certificate follow up 5-12-15. 5-12-15 dp grass ok follow up 5-26-15. | | | | |
| 05/06/15 20150637 | 0 MAIN ST W | TALL WEEDS/GRASS N/A | 05/06/15 | 05/05/16 |
| 5-5-15 dp Tall grass and weeds. Sent letter both ways follow up 5-12-15. 5-12-15 dp Grass tall send to OZ follow up 5-26-15. | | | | |
| 05/06/15 20150649 | 601 MC KAIG AVE | VEHICLE ON GRASS N/A | 05/06/15 | 08/04/15 |
| 5-6-15 sb Maroon Ford F150 parked on the grass with expired plates 11-14. Calling her to pick up letter. Follow up 5-15-15. 5-11-15 sb Bonnie picked up letter. Follow up 5-19-15. 5-12-15 sb Lee Sizemore tel, 937-475-8575. He will have truck moved 5-15-15. | | | | |
| 05/06/15 20150648 | 601 MC KAIG AVE | JUNK VEHICLE N/A | 05/06/15 | 09/03/15 |
| 5-6-15 sb Maroon Ford F150 parked on the grass with expired plates 11/14. Calling her to pick up letter. 214-2035. Follow up 5-15-15. 5-11-15 sb Bonnie picked up letter. Follow up 5-19-15. 5-12-15 sb Lee Sizemore tel 937-475-8575. He will have truck moved 5-15-15. | | | | |
| 05/06/15 20150647 | 124 MONROE ST S | JUNK VEHICLE | 05/06/15 | 09/03/15 |
| 5-6-15 sb White Mercury with flat tire and tags that expired 11-14. Certified, follow up 5-18-15. 5-12-15 sb Green card dated 5-8-15. Follow up 5-18-15. | | | | |
| 05/08/15 20150688 | 680 SHERWOOD DR | TALL WEEDS/GRASS NOTTINGHAM FOUR | 05/08/15 | 05/07/16 |
| 5-8-15 dp TW Certified follow up 5-13-15. 5-11-15 dp Green card back dated 5-9-15 follow up 5-14-15. | | | | |
| 05/13/15 20150714 | 135 SHAFTSBURY RD | TALL WEEDS/GRASS N/A | 05/13/15 | 05/12/16 |
| 5-12-15 dp TW certificate follow up 5-18-15. | | | | |
| 05/01/15 20150593 | 60 CEDAR ST S | JUNK VEHICLE N/A | 05/01/15 TOWED VEHICLE | 08/29/15 05/12/15 |
| 5-1-15 sb Black Lincoln with no tags and 3 flat tires. Certified, follow up 5-12-15. 5-7-15 sb Green card dated 5-4-15, follow up 5-12-15. 5-12-15 sb Lincoln still there, still had 3 flat tires and no tags. Towed, Jim's, Bettelon. 5-12-15 sb Mary Tharp LWTC for me 937-573-7577. 5-12-15 sb LWTC for Mary Tharp. | | | | |

CITY OF TROY - WARD THREE
VIOLATIONS BY FILE DATE
04/29/2015 TO 05/14/2015

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|--|----------------|-----------------------|---------------------------|----------------------|
| 04/29/15 20150568 | 1111 CLAY ST S | TRASH & DEBRIS N/A | 04/29/15 TRASH REMOVED | 08/27/15 05/01/15 |
| 4-28-15 dp Complaint of trash along the garage off the alley. Upon inspection the home owner was present and came out and spoke with me. There was not much trash but the animals had gotten into it and the owner said he would have this cleaned up by the end of the week. Follow up 5-1-15. 5-1-15 dp Trash gone close. | | | | |

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|----------|---|----------------------|-----------------------|--------------|----------|
| 04/29/15 | 801 CRAWFORD ST S | EXCESSIVE ANIMALS | | | 04/28/15 |
| 20150567 | | N/A | POTTER, ISAAC & NORMA | NO VIOLATION | |
| | 4-28-15 dp Complaint of 5 cats and 2 or 3 dogs. I made contact with this tenant. She has 3 dogs that are registered with Miami county Animal shelter. The cats that are in and around the area are feral cats that several neighbors feed. No violation close. | | | | |
| 05/01/15 | 229 MULBERRY ST S | TALL WEEDS/GRASS | 05/01/15 | 04/30/16 | |
| 20150600 | | | | | |
| | 5-1-15 dp Tall grass send letters both ways follow up 5-7-15. | | | | |
| | 5-7-15 dp Grass cut follow up 5-21-15. | | | | |
| 05/04/15 | 627 CANAL ST E | TRASH & DEBRIS | 05/04/15 | 09/01/15 | 05/06/15 |
| 20150607 | | | TRASH REMOVED | | |
| | 5-1-15 dp Complaint of this tenant trespassing to go to the alley and place trash in front of garage blocking ingress/egress. Spoke to J. Mullins regarding placement of trash. Also this tenant has a pile of skids in the rear yard. certificate trash letter and cc to tenant. I also adviced Fire Ststion 1 that the rumor was this tenant was planning a big "Bon fire". Follow up 5-6-15. | | | | |
| | 5-6-15 dp Pallets gone close. | | | | |
| 05/04/15 | 825 CRAWFORD ST S | TALL WEEDS/GRASS | 05/04/15 | 05/03/16 | |
| 20150614 | | N/A | | | |
| | 5-4-15 dp Tall grass/weeds certificate follow up 5-10-15. | | | | |
| | 5-11-15 dp Grass has been cut follow up 5-25-11. | | | | |
| 05/04/15 | 1152 RACE ST E | TALL WEEDS/GRASS | 05/05/15 | 05/04/16 | |
| 20150616 | | N/A | | | |
| | 5-4-15 dp Tall grass/weeds certificate follow up 5-10-15. | | | | |
| | 5-11-15 dp TW remain, we have mowed this the last 2 summers send to OZ follow up 5-25-15. | | | | |
| 05/04/15 | 920 WALKER ST | TALL WEEDS/GRASS | 05/04/15 | 05/03/16 | |
| 20150613 | | N/A | | | |
| | 5-4-15 dp Tall grass/weeds certificate follow up 5-10-15. | | | | |
| | 5-8-15 dp Letter returned I listed the wrong zip code, resend certified follow up 5-13-15. | | | | |
| | 5-11-15 dp green card back not dated follow up 5-15-15. | | | | |
| 05/05/15 | 903 CANAL ST E | TALL WEEDS/GRASS | 05/05/15 | 05/04/16 | |
| 20150617 | | | | | |
| | 5-4-15 dp Tall grass/weeds certificate follow up 5-10-15. | | | | |
| 05/05/15 | 403 FRANKLIN ST E | PROPERTY MAINTENANCE | 05/05/15 | 09/02/15 | |
| 20150618 | | N/A | | | |
| | 5-4-15 dp Property Maintenance issues. This property was written up in 2014 and Mr. Hayes was taken to court where he eventually plead guilty with the understanding that if no work was done to this property I would be sending a violation again. The house has peeling and rotting paint and wood, broken windows, damaged gutters. Certificate follow up 6-5-15. | | | | |
| 05/06/15 | 219 CANAL ST E | TRASH & DEBRIS | 05/06/15 | 09/03/15 | |
| 20150633 | | | | | |
| | 5-5-15 dp Complaint of appliances and various trash and debris in the rear and side yard. Certified, follow up 5-10-15. | | | | |
| | 5-11-15 dp Green card back dated 5-8-15 follow up 5-11-15. | | | | |
| | 5-12-15 dp They were actually removing this as I inspected today I will follow up to make sure all is complete 5-14-14. | | | | |
| 05/06/15 | 322 CANAL ST E | TRASH & DEBRIS | | | 05/06/15 |
| 20150659 | | | NO VIOLATION | | |
| | 5-6-15 dp Received a phone complaint of trash outside the home along the south wall. Upon inspection what trash I saw was on top of the trash can and in the recycle bin, no violation exists. | | | | |
| 05/06/15 | 509 CANAL ST E | TALL WEEDS/GRASS | 05/06/15 | 05/05/16 | |
| 20150632 | | | | | |

5-5-15 dp Tall weeds and grass send both ways follow up 5-12-15.
5-12-15 dp Grass tall send to OZ follow up 5-26-15.

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|----------|----------------|----------------|-----------|----------|----------|
| 05/06/15 | 521 CANAL ST E | TRASH & DEBRIS | 05/06/15 | 09/03/15 | 05/11/15 |
| 20150663 | | | COMPLETED | | |

5-6-15 dp Noticed a pile of brush debris at the curb in the street. We have sent a letter regarding this previously and even had our contractor remove it certificate and follow up 5-10-15.
5-11-15 dp This debris has been put into Tbags close.

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|----------|-----------------|------------------|----------|----------|--|
| 05/06/15 | 117 COUNTS ST S | TALL WEEDS/GRASS | 05/06/15 | 05/05/16 | |
| 20150634 | | N/A | | | |

5-5-15 dp Tall grass and weeds Certified with cc to tenant follow up 5-12-15.
5-11-15 dp Green card back dated 5-8-15 follow up 5-13-15.

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| 05/06/15 | 211 CRAWFORD ST S | TRASH & DEBRIS | 05/06/15 | 09/03/15 | 05/11/15 |
| 20150661 | | | TRASH REMOVED | | |

5-6-15 dp Phone complaint of trash at the curb that the trash crews did not remove. Appears to be wood pieces or construction Material sent letter Certificate and follow up 5-11-15.
5-11-15 dp Trash gone close.

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|----------|-----------------|--------------|----------|----------|--|
| 05/06/15 | 125 DAKOTA ST W | JUNK VEHICLE | 05/06/15 | 09/03/15 | |
| 20150642 | | N/A | | | |

5-5-15 dp Noticed this boat parked on the property has visible expired tags certified with cc to tenant follow up 5-13-15.
5-13-15 dp Received a message from Mark Harris asking until the end of the week, I agreed follow up 5-18-15.

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| 05/06/15 | 125 DAKOTA ST W | VEHICLE ON GRASS | 05/06/15 | 08/04/15 | |
| 20150641 | | N/A | | | |

5-5-15 dp While at this location on a separate complaint I noticed a Jeep under a tarp parked on the grass. Sent letter Certified with cc to tenant follow up 5-13-15.
5-5-15 dp Noticed this boat parked on the property has visible expired tags certified with cc to tenant follow up 5-13-15.
5-13-15 dp Received a message from Mark Harris asking until the end of the week, I agreed follow up 5-18-15.

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|----------|----------------|------------------|----------|----------|--|
| 05/06/15 | 118 FLORAL AVE | TALL WEEDS/GRASS | 05/06/15 | 05/05/16 | |
| 20150630 | | N/A | | | |

5-5-15 dp Tall grass and weeds send both ways follow up 5-12-15.
5-12-15 dp Certified returned b/c it was refused. I resent letter both ways originally, so no new letter is needed.
5-12-15 dp Grass ok follow up 5-19-15.

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|----------|-------------------|----------------|---------------|----------|----------|
| 05/06/15 | 722 FRANKLIN ST W | TRASH & DEBRIS | 05/06/15 | 09/03/15 | 05/14/15 |
| 20150644 | | N/A | TRASH REMOVED | | |

5-6-15 sb Refrigerator in the rear yard with the door torn off. Certified, follow up 5-13-15.
5-12-15 sb Green card dated 5-8-15. Follow up 5-13-15.
5-13-15 sb Trash gone. Close.

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|----------|------------|------------------|----------|----------|--|
| 05/06/15 | 222 OAK ST | TALL WEEDS/GRASS | 05/06/15 | 05/05/16 | |
| 20150631 | | N/A | | | |

5-5-15 dp Tall grass and weeds Certified follow up 5-12-15.

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| 05/06/15 | 1019 SCOTT ST | TALL WEEDS/GRASS | 05/06/15 | 05/05/16 | |
| 20150662 | | N/A | | | |

5-6-15 dp While there assisting the PD with a tow, I noticed this had tall weeds and grass. Certificate and follow up 5-12-15.
5-12-15 dp grass ok follow up 5-26-15.

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|----------|------------------|---------------------|----------|----------|--|
| 05/06/15 | 131 SOUTHVIEW DR | TALL WEEDS/GRASS | 05/06/15 | 05/05/16 | |
| 20150640 | | SOUTHVIEW ESTATES 1 | | | |

5-5-15 dp Tall grass and weeds. Certificate to Todd Severt owner of Plum Street LLC at his business address of 18 W Water follow up 5-12-15.
5-12-15 dp Fron and part of rear ok follow up 5-19-15.

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| 05/07/15 | 14 CANAL ST W | TALL WEEDS/GRASS | MONTGOMERY PRINTING CO INC | |
| 20150670 | 5-7-15 sb Tel Sam Cairns 335-4679. Told him that since I had talked to Tom on 4-22-15 and Tom explained they would be hiring a contractor to mow the lot this year, the lot hadn't been mowed. Sam said he knew because he was the one mowing it this year. He had gone to visit his kids in Gallipolis and ended up in the hospital with pneumonia. He said he would get the lot mowed today. Follow up 5-21-15. | | | |
| 05/07/15 | 113 COUNTS ST S | TALL WEEDS/GRASS | 05/08/15 | 05/07/16 |
| 20150678 | N/A | | | |
| 5-7-15 dp Tall grass Certified with cc to tenant follow up 5-13-15. | | | | |
| 05/08/15 | 710 CANAL ST E | TALL WEEDS/GRASS | 05/08/15 | 05/07/16 |
| 20150685 | 5-8-15 dp TW certificate follow up 5-13-15. | | | |
| 5-13-15 dp Grass cut follow up 5-27-15. | | | | |
| 05/08/15 | 1136 CANAL ST E | TALL WEEDS/GRASS | 05/08/15 | 05/07/16 |
| 20150686 | CLOVERDALE | | | |
| 5-8-15 dp TW certificate follow up 5-13-15.5-13-15 dp grass cut follow up 5-27-15. | | | | |
| 05/08/15 | 1136 CANAL ST E | TRASH & DEBRIS | 05/08/15 | 09/05/15 |
| 20150687 | CLOVERDALE | | TRASH REMOVED | |
| 5-8-15 dp Ms Shoemaker was in our office earlier this week and I spoke to her about this property and she called me from this location and said there was no problem. I said that a trash complaint had come in. Some trash and debris remain certificate follow up 5-11-15. | | | | |
| 5-11-15 dp Trash gone what remains is wood/limbs and they have a small burn pit close. | | | | |
| 05/08/15 | 808 CLAY ST S | TALL WEEDS/GRASS | 05/08/15 | 05/07/16 |
| 20150689 | 5-8-15 dp TW certified follow up 5-13-15. | | | |
| 05/08/15 | 1002 CRAWFORD ST S | ZONING PROBLEMS | 05/08/15 | 09/05/15 |
| 20150684 | N/A | | COMPLETED | |
| 5-8-15 dp Complaint of a basketball hoop in the street, verified certificate follow up 5-12-15. | | | | |
| 5-1-15 dp Goal moved to yard close. | | | | |
| 05/11/15 | 527 CLAY ST S | TALL WEEDS/GRASS | 05/11/15 | 05/10/16 |
| 20150704 | 5-11-15 dp TW Bonnie Kinney will pick this letter up in person and I will mail one to the tenant follow up 5-16-15. | | | |
| 05/11/15 | 604 CLAY ST S | TALL WEEDS/GRASS | 05/11/15 | 05/10/16 |
| 20150702 | 5-11-15 dp TW Certified follow up 5-16-15. I spoke with Alice of MMS Recovery who has this for the property owner and is on a once a month mowing contract. I explained to Alice I did not believe that once a month right now will keep it under 10". | | | |
| 05/11/15 | 608 CLAY ST S | TALL WEEDS/GRASS | 05/10/16 | |
| 20150703 | 5-11-15 dp TW certified follow up 5-16-15. | | | |
| 05/11/15 | 701 FRANKLIN ST E | TALL WEEDS/GRASS | 05/11/15 | 05/10/16 |
| 20150700 | N/A | | | |
| 5-11-15 dp Tall grass and weeds Certified follow up 5-16-15. | | | | |
| 05/11/15 | 1013 WALNUT ST S | TALL WEEDS/GRASS | 05/11/15 | 05/10/16 |
| 20150701 | N/A | | | |
| 5-11-15 dp TW certified follow up 5-16-15. | | | | |
| 05/11/15 | 2 WEST ST E | TREES | 05/11/15 | |
| 20150705 | N/A | | NO VIOLATION | |

5-6-15 dp Complaint of a tree that has fallen onto the roof at this address and also causing tree debris to fall into the drive at 6 E West. Bob Long has been in Florida and is now back and I spoke with him 5-11-15 regarding this tree. He said he would take care of this asap. I also spoke to the owners at 6 E West to update them on this. I explained that until this tree were to completely sever and fall to the ground that it was not in violation in its current state.

| | | | | |
|--|-------------------|-------------------|--------------|----------|
| 05/12/15 | 801 CRAWFORD ST S | EXCESSIVE ANIMALS | | 05/12/15 |
| 20150711 | | N/A | NO VIOLATION | |
| 5-12-15 dp Received a complaint again of excessive dogs at this location. The other complaint was 4-29-15. I inspected and made contact with this tenant and she has 3 dogs and the 3 had Miami county tags. No violation, again. Close. | | | | |
| 05/13/15 | 301 WILLIAMS ST | TALL WEEDS/GRASS | 05/13/15 | 05/12/16 |
| 20150718 | | N/A | | |
| 5-13-15 dp TW Certified follow up 5-18-15. | | | | |
| 05/13/15 | 311 MARKET ST S | TALL WEEDS/GRASS | 05/13/15 | 05/12/16 |
| 20150717 | | | | |
| 5-12-15 dp TW unknown if there is a tenant at this location Certified follow up 5-18-15. | | | | |
| 05/13/15 | 933 MARKET ST S | TALL WEEDS/GRASS | 05/13/15 | 05/12/16 |
| 20150716 | | N/A | | |
| 5-12-15 dp Complaint from a neighbor pf TW certificate to William Fulker Atty. as Mr Harmon is deceased, follow up 5-18-15. | | | | |

CITY OF TROY - WARD FOUR
VIOLATIONS BY FILE DATE
04/29/2015 TO 05/14/2015

| | | | | |
|--|-------------------|------------------|---------------|----------|
| 05/04/15 | 0 PAUL REVERE WAY | TALL WEEDS/GRASS | 05/04/15 | 05/03/16 |
| 20150615 | | N/A | | |
| 5-4-15 dp Tall grass/weeds certificate follow up 5-10-15. | | | | |
| 5-11-15 dp Received a message from Lisa Hawk saying they just got the letter but had their crews set up to mow today and upon my inspection they were actively mowing follow up 5-25-15. | | | | |
| 05/04/15 | 1230 RIDGE AVE S | VEHICLE ON GRASS | 05/04/15 | 08/02/15 |
| 20150608 | | | VEHICLE MOVED | 05/13/15 |
| 5-1-15 dp While checking on a complaint of a pool install without a permit at 1232, I noticed a silver ford in the front yard. Certified with cc to tenant follow up 5-12-15. | | | | |
| 5-6-15 dp Green card back dated 5-6-15 follow up 5-13-15. On another note I received a call from this tenant stating the car had been removed from the grass. | | | | |
| 5-13-15 dp Vehicle gone close. | | | | |
| 05/08/15 | 1018 MARKET ST S | VEHICLE ON GRASS | 05/08/15 | 08/06/15 |
| 20150690 | | | | |
| 5-8-15 dp Complaint of a veh on the grass. I inspected and found a Honda accord on the grass for sale Certified with cc to John Browning Tenant follow up 5-15-15. | | | | |

CITY OF TROY - WARD FIVE
 VIOLATIONS BY FILE DATE
 04/29/2015 TO 05/14/2015

| | | | | | |
|----------|--|------------------------|-----------|----------|----------|
| 05/01/15 | 413 LAKE ST | VEHICLE ON GRASS | 05/01/15 | 07/30/15 | |
| 20150601 | | N/A | | | |
| | 5-1-15 sb Gray GMC, box trailer, and blue Toyota all parked on grass. Certified, follow up 5-13-15 | | | | |
| | 5-6-15 sb Amber Ponchillia tel. 937-623-3242. Mother sick, had Hospice in giving medicine every hour. Mother passed. I gave her until 5-29-15. | | | | |
| | 5-7-15 sb Green card dated 5-5-15. | | | | |
| 05/01/15 | 1393 MC KAIG AVE | TALL WEEDS/GRASS | 05/01/15 | 04/30/16 | |
| 20150602 | | N/A | | | |
| | 5-1-15 sb Tall weeds, certificate, follow up 5-7-15. | | | | |
| | 5-7-15 sb Grass tall, send to OZ, follow up 5-21-15. | | | | |
| 05/01/15 | 907 RACE ST W | TALL WEEDS/GRASS | 05/01/15 | 04/30/16 | |
| 20150594 | | | | | |
| | 5-1-15 sb Tall weeds. Certificate, follow up 5-7-15. | | | | |
| | 5-7-15 sb Grass tall, send to OZ, follow up 5-21-15. | | | | |
| 05/01/15 | 1374 SURREY RD | SIGN VIOLATIONS | 05/01/15 | 08/29/15 | 05/08/15 |
| 20150583 | | N/A | COMPLETED | | |
| | 4-30-15 dp Noticed a free standing temp business sign in the front yard. Certificate follow up 5-8-15. | | | | |
| | 5-8-15 dp Sign gone close. | | | | |
| 05/04/15 | 224 NORWICH RD N | TALL WEEDS/GRASS | 05/04/15 | 05/03/16 | |
| 20150611 | | WESTBROOK 3 | | | |
| | 5-4-15 dp Tall grass/weeds certificate follow up 5-10-15. | | | | |
| | 5-11-15 dp Grass still tall send 48 hr follow up 5-14-15. | | | | |
| 05/04/15 | 334 SUMMIT AVE | GARAGE SALES-EXCESSIVE | | 09/01/15 | |
| 20150606 | | | | | |
| | 5-1-15 sb Complaint of garage sales starting up again. | | | | |
| | 5-1-15 sb Picture of garage sale, follow up 5-7-15 | | | | |
| | 5-7-15 sb No sale. | | | | |
| | 5-8-15 sb No sale, follow up 5-15-15. | | | | |
| 05/06/15 | 1022 MC KAIG AVE | TALL WEEDS/GRASS | 05/06/15 | 05/05/16 | |
| 20150645 | | | | | |
| | 5-6-15 sb Tall weeds, certified, follow up 5-14-15. | | | | |
| 05/06/15 | 1411 MC KAIG AVE | TALL WEEDS/GRASS | 05/06/15 | 05/05/16 | |
| 20150650 | | N/A | | | |
| | 5-6-15 sb Tall weeds, certificate, follow up 5-12-15. | | | | |
| | 5-12-15 sb Grass ok, follow up 5-26-15. | | | | |
| 05/06/15 | 1490 MC KAIG AVE | TALL WEEDS/GRASS | 05/06/15 | 05/05/16 | |
| 20150646 | | N/A | | | |
| | 5-6-15 sb Tall weeds, certificate, follow up 5-13-15. | | | | |
| | 5-13-15 sb Grass tall, send to OZ, follow up 5-27-15. | | | | |
| 05/06/15 | 1506 MC KAIG AVE | TALL WEEDS/GRASS | 05/06/15 | 05/05/16 | |
| 20150651 | | | | | |
| | 5-6-15 sb Tall weeds, certificate, follow up 5-12-15. | | | | |
| | 5-12-15 sb Grass ok, follow up 5-26-15. | | | | |
| 05/06/15 | 707 SHERMAN AVE | TALL WEEDS/GRASS | 05/06/15 | 05/05/16 | |

| | | | | |
|----------|--|------------------------|--------------|----------|
| 20150643 | | N/A | | |
| | 5-6-15 sb Tall weeds, certificate, follow up 5-12-15. | | | |
| | 5-12-15 sb Grass ok, follow up 5-26-15. | | | |
| 05/07/15 | 1615 HENLEY RD | TALL WEEDS/GRASS | 05/07/15 | 05/06/16 |
| 20150672 | | N/A | | |
| | 5-7-15 sb Tall weeds. Certificate, follow up 5-14-15. | | | |
| 05/07/15 | 921 KENT LN | TALL WEEDS/GRASS | | 05/06/16 |
| 20150669 | | N/A | | |
| | 5-4-15 sb Tall grass. Publishing in paper 5-8-15. Follow up 5-14-15. | | | |
| 05/08/15 | 463 DORSET RD N | GARAGE SALES-EXCESSIVE | 05/08/15 | 09/05/15 |
| 20150683 | | N/A | | |
| | 5-7-15 dp Noticed that this is her second garage sale but I failed to get a picture of the first so this will count as the first. Follow up as needed. | | | |
| 05/08/15 | 1479 MAIN ST W | TALL WEEDS/GRASS | 05/08/15 | 05/07/16 |
| 20150679 | | | | |
| | 5-7-15 dp Tall grass and weeds Certificate with cc to tenant follow up 5-13-15. | | | |
| | 5-13-15 dp grass cut follow up 5-27-15. | | | |
| 05/13/15 | 1238 MAIN ST W | VEHICLE ON GRASS | 05/13/15 | 08/11/15 |
| 20150720 | | N/A | | |
| | 5-13-15 dp Received a complaint of a motorcycle parked in the front yard with a large wood for sale sign. Sent certified letter For it to be removed. Follow up 5-21-15. | | | |
| 05/06/15 | 1361 TRADE SQ W | TALL WEEDS/GRASS | | 05/06/15 |
| 20150660 | | N/A | NO VIOLATION | |
| | 5-6-15 dp complaint of tall grass but upon arrival this yard has been mowed. No violation. | | | |

CITY OF TROY - WARD SIX
VIOLATIONS BY FILE DATE
04/29/2015 TO 05/14/2015

| | | | | |
|----------|---|-----------------|----------|----------|
| 04/29/15 | 40 FOX HARBOR DR | JUNK VEHICLE | 04/29/15 | 08/27/15 |
| 20150575 | | FOX HARBOR 1 | | |
| | 4-29-15 dp Complaint from the neighbor regarding a wrecked vehicle in the drive. Vehicle appears inoperable and has no visible rear tag to verify expiration. Certified follow up 5-7-15. | | | |
| | 5-4-15 sb Green card dated 5-2-15. Follow up 5-11-15 | | | |
| 04/29/15 | 40 FOX HARBOR DR | OUTDOOR STORAGE | 04/29/15 | 05/29/15 |
| 20150574 | | FOX HARBOR 1 | | |
| | 4-29-15 dp Complaint from neighbor of trash in the rear yard. Some items fall under outdoor storage. Certificate letter follow up 5-30-15. | | | |
| 04/29/15 | 40 FOX HARBOR DR | TRASH & DEBRIS | 04/29/15 | 08/27/15 |
| 20150573 | | FOX HARBOR 1 | | |
| | 4-29-15 dp Complaint from the neighbor regarding trash and debris in the rear yard. Some is outdoor storage. Certificate follow up 5-4-15. | | | |
| | 5-5-15 sb Send 48 hr notice. Follow up 5-11-15. | | | |
| | 5-11-15 sb Shawn tel. He asked to have until the end of the month. I gave him until 5-18-15. I told him I would call him if it didn't meet our satisfaction 937-626-155.7 | | | |

| | | | | | |
|--|--------------------|------------------------------------|-----------------------------------|----------|----------|
| 04/29/15 20150571 | 2309 MAIN ST W | SIGN VIOLATIONS | 04/29/15 COMPLETED | 08/27/15 | 05/05/15 |
| <p>4-29-15 dp Temporary banner still up and the permit has expired. I spoke with the manager last week regarding this and she said it would come doen. It has not. Certificate to manager and follow up 5-4-15.</p> <p>5-4-15 dp Made contact with manager on premise and I told her that it has to be gone by the end of the day or I would file this to court and see about having it removed. She gave me the number to her boss and I called and left him a message stating the same information. Follow up 5-5-15.</p> <p>5-5-15 dp Sign removed close.</p> | | | | | |
| 05/01/15 20150603 | 2525 THORNHILL DR | TRASH & DEBRIS N/A | 05/01/15 REMOVED BY CONTRACTOR | 08/29/15 | 05/05/15 |
| <p>5-1-15 sb Trash beside garage that's been there a couple weeks. I inspected on they're trash day and it wasn't put out. Certificate, follow up 5-5-15</p> <p>5-5-15 sb Trash still there. Send to OZ. Close.</p> | | | | | |
| 05/01/15 20150605 | 2413 WATERFORD DR | TALL WEEDS/GRASS N/A | 05/01/15 | 04/30/16 | |
| <p>5-1-15 sb Tall grass. Certificate, follow up 5-8-15.</p> <p>5-12-15 sb Letter came back "Return to Send" from an address in Springfield, OH. Posting in newspaper 5-15-15. Follow up 5-21-15.</p> | | | | | |
| 05/01/15 20150604 | 62 WESTHAVEN DR | TRASH & DEBRIS N/A | 05/01/15 TRASH REMOVED | 08/29/15 | 05/06/15 |
| <p>5-1-15 sb Received complaint of a whole bush being put in the ROW. Certificate, follow up 5-6-15</p> <p>5-6-15 sb Brush gone. Close.</p> | | | | | |
| 05/06/15 20150638 | 1 CORPORATE DR | TALL WEEDS/GRASS N/A | 05/06/15 | 05/05/16 | |
| <p>5-11-15 dp Green card back dated 5-8-15 follow up 5-13-15.</p> <p>5-13-15 dp Grass cut follow up 5-27-15.</p> | | | | | |
| 05/06/15 20150639 | 40 MARYBILL RD | TALL WEEDS/GRASS N/A | 05/06/15 | 05/05/16 | |
| <p>5-5-15 dp Tall weeds and grass Certificate follow up 5-12-15.</p> <p>5-12-15 dp Grass ok follow up 5-26-15.</p> | | | | | |
| 05/06/15 20150658 | 689 SEDGWICK WAY | TALL WEEDS/GRASS STONEBRIDGE | | 05/05/16 | |
| <p>5-6-15 sb Received e-mail from Marilyn, the neighbor. Contractor came and mowed half of the yard today, didn't mow the back. Contractor took their picture to prove they mowed it, but they didn't mow it all.</p> <p>5-6-15 sb LWTC for Rebecca Procter at Evolve Bank and Trust 901-624-5500</p> <p>5-8-15 sb Tall weeds, certified to Evolve Bank. Follow up 5-18-15</p> | | | | | |
| 05/06/15 20150653 | 2523 THORNHILL DR | JUNK VEHICLE N/A | 05/06/15 | 09/03/15 | |
| <p>5-6-15 sb Maroon Jeep in driveway with no tags. Certified, follow up 5-15-15.</p> | | | | | |
| 05/06/15 20150652 | 2523 THORNHILL DR | TRASH & DEBRIS N/A | 05/06/15 | 09/03/15 | |
| <p>5-6-15 sb Loose trash on ground in front of garage. Certified along with junk vehicle. Follow up 5-14-15.</p> | | | | | |
| 05/07/15 20150673 | 2404 ST ANDREWS DR | TALL WEEDS/GRASS KINGS CHAPEL 1 | | 05/06/16 | |
| <p>5-7-15 sb Tall weeds, certificate, follow up 5-14-15 .</p> <p>5-8-15 sb Diana Bair tel. Grass has been cut.</p> | | | | | |
| 05/07/15 20150674 | 0 WESTLAKE DR | TALL WEEDS/GRASS N/A | | 05/06/16 | |
| <p>5-7-15 sb Tall weeds, certified, follow up 5-18-15.</p> | | | | | |

| | | | | |
|---|---------------------|------------------|----------|----------|
| 05/08/15 | 115 KINGS CHAPEL DR | TALL WEEDS/GRASS | 05/08/15 | 05/07/16 |
| 20150693 | | N/A | | |
| 5-8-15 sb Tall weeds, certificate, follow up 5-14-15. | | | | |
| 05/08/15 | 0 KINGS CHAPEL DR N | TALL WEEDS/GRASS | 05/08/15 | 05/07/16 |
| 20150680 | | N/A | | |
| 5-7-15 dp TW between curb and farm field, Certificate follow up 5-13-15. | | | | |
| 5-13-15 dp TW remain send to OZ follow up 5-27-15. | | | | |
| 05/13/15 | 2716 FAIRMONT CT | TRASH & DEBRIS | 05/13/15 | 09/10/15 |
| 20150715 | | FAIRFIELD | | |
| 5-12-15 dp Trash and a piece of furniture placed in the curblawn. This is a 4 unit and does not have City trash pick-up. Certified follow up 5-17-15. | | | | |

High Usage Alert Records

| Address | 24 Hr. usage Cu Ft. | Shut Off: Yes - No | Date | Reconnect: Yes - No - Cause |
|-----------------------|------------------------|-----------------------|----------------|----------------------------------|
| Carriage Crossing Way | 300 | No | April 20, 2015 | No, Filling Pool |
| Floral Avenue | 500 | No | April 20, 2015 | No, Talked to Resident |
| South Mulberry Street | 300 | No | April 20, 2015 | No, B&C to Call |
| Lincoln Avenue | 400 | No | April 21, 2015 | No, Toilet Running |
| South Clay Street | 500 | No | April 23, 2015 | No, Toilet Running |
| Stonyridge Avenue | 600 | No | April 24, 2015 | No, B&C to Call |
| East Canal Street | 900 | Yes | April 24, 2015 | Yes, 4/24/2015 per Owner |
| Keller Drive | 400 | No | April 24, 2015 | No, Busted Garden Hose |
| Troy-Sidney Road | 900 | No | April 29, 2015 | No, Toilet Running |
| West Main Street | 600 | No | April 29, 2015 | No, Talked to Resident |
| Chatham | 1700 | Yes | April 29, 2015 | Irrigation was running somewhere |
| East Main Street | 400 | No | April 30, 2015 | No, Toilet Running |
| South Ridge | 400 | Yes | May 4, 2015 | |
| Mayfair Road | 500 | Yes | May 4, 2015 | |
| West Main Street | 300 | No | May 4, 2015 | No, Left Blue Card |
| Mayfair Road | 400 | No | May 6, 2015 | No, Not Running, No One Home |
| West Main Street | 400 | No | May 12, 2015 | No, Left Blue Card |
| Walker Street | 500 | No | May 12, 2015 | No, Talked to Owner |

TROY FIRE DEPARTMENT

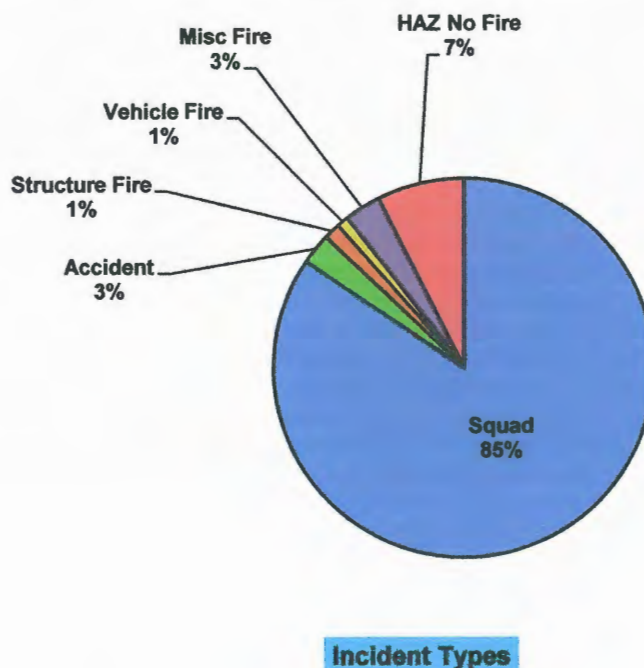
1528 North Market Street Troy, OH 45373

Here are the department's statistics for the month of April. The department has been very active with incidents, training, fire prevention education and inspections.



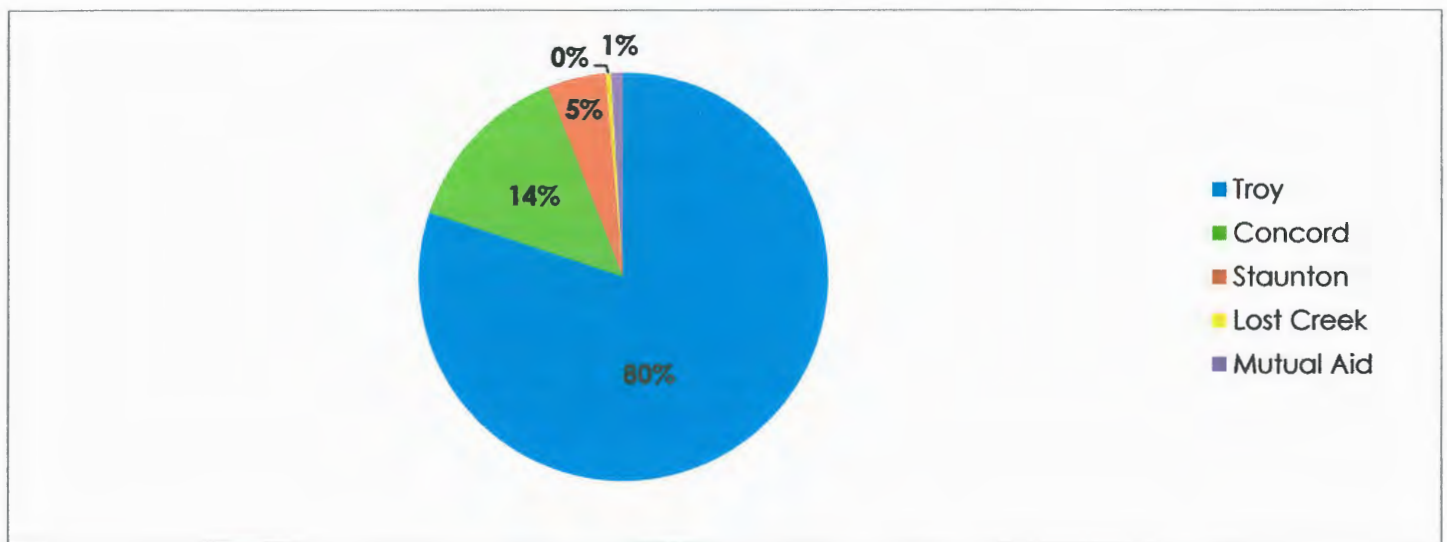
April Incidents

| | Troy | Concord | Staunton | Lost Creek | Mutual Aid | Total | % of Fire Calls |
|------------------------|------------|-----------|-----------|------------|------------|------------|-----------------|
| Squad | 282 | 61 | 6 | 3 | 2 | 354 | 0.84 |
| Accident | 7 | 2 | 0 | 1 | 1 | 11 | 0.03 |
| Structure Fire | 4 | 1 | 1 | 0 | 0 | 6 | 0.01 |
| Vehicle Fire | 1 | 2 | 1 | 0 | 0 | 4 | 0.01 |
| Misc Fire | 12 | 0 | 1 | 0 | 0 | 13 | 0.03 |
| HAZ No Fire | 29 | 1 | 1 | 0 | 0 | 31 | 0.07 |
| Total Incidents | 335 | 67 | 10 | 4 | 3 | 419 | 1.00 |



2015 Troy Fire Department Incidents

| Total Incident Report | | |
|-----------------------|-----------------|-------------|
| | Total Incidents | % of Total |
| Troy | 335 | 0.80 |
| Concord | 67 | 0.16 |
| Staunton | 10 | 0.02 |
| Lost Creek | 4 | 0.01 |
| Mutual Aid | 3 | 0.01 |
| Total | 419 | 1.00 |



| Total Response Report | | | | |
|-----------------------|---------------|----------------|------------|-------------|
| | EMS Responses | Fire Responses | Total | % of Total |
| Troy | 292 | 92 | 384 | 0.79 |
| Concord | 64 | 18 | 82 | 0.17 |
| Staunton | 7 | 6 | 13 | 0.03 |
| Lost Creek | 4 | 1 | 5 | 0.01 |
| Mutual Aid | 3 | 0 | 3 | 0.01 |
| Total | 370 | 117 | 487 | 1.00 |

2015 Troy Fire Department Responses

Fire Responses

| Fire Response Report | | | | | | |
|----------------------|-----------|-----------|----------|------------|------------|------------|
| Unit | Troy | Concord | Staunton | Lost Creek | Mutual Aid | Total |
| Engine-1 | 70 | 13 | 2 | 1 | 0 | 86 |
| Engine-2 | 8 | 0 | 1 | 0 | 0 | 9 |
| Engine-3 | 4 | 3 | 1 | 0 | 0 | 8 |
| Tanker-1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tower-1 | 1 | 0 | 0 | 0 | 0 | 1 |
| Grass-1 | 0 | 0 | 1 | 0 | 0 | 1 |
| Truck-8 | 9 | 2 | 1 | 0 | 0 | 12 |
| Total | 92 | 18 | 6 | 1 | 0 | 117 |

| Medic Assists | | | | | |
|---------------|-----------|-----------|----------|------------|-----------|
| | Troy | Concord | Staunton | Lost Creek | Total |
| Engine 1 | 42 | 10 | 1 | 1 | 54 |
| Truck-8 | 7 | 0 | 1 | 0 | 8 |
| Grass-1 | 0 | 0 | 0 | 0 | 0 |
| Total | 49 | 10 | 2 | 1 | 62 |

EMS Responses

| EMS Response Report | | | | | | |
|---------------------|------------|-----------|----------|------------|----------|------------|
| Unit | Troy | Concord | Staunton | Lost Creek | Other | Total |
| Medic-1 | 136 | 23 | 1 | 0 | 2 | 162 |
| Medic-2 | 63 | 7 | 6 | 4 | 1 | 81 |
| Medic-3 | 89 | 34 | 0 | 0 | 0 | 123 |
| Medic-4 | 4 | 0 | 0 | 0 | 0 | 4 |
| Total | 292 | 64 | 7 | 4 | 3 | 370 |

Fire / Auto Loss

| Fire / Auto Loss | | | |
|------------------|---------------------|--------------------|----------------------|
| Locale | Fire Loss | Auto Loss | Total Loss |
| Troy | \$ 92,100.00 | | \$ 92,100.00 |
| Concord | \$ 6,000.00 | \$ 6,100.00 | \$ 12,100.00 |
| Staunton | | | \$ - |
| Mutual Aid | | | \$ - |
| Total | \$ 98,100.00 | \$ 6,100.00 | \$ 104,200.00 |

Narrative:

Run #1526, April 10, 2015

A fire in or around a van resulted in a structure fire causing \$50,000 damage to the structure and \$40,000 loss to the contents.

Run #1795, April 30, 2015

Combustible materials stored too close to a heating appliance resulted in \$1,500 loss to the structure and \$500 loss to the contents.

The following are the statistics for the Fire Prevention Bureau. We have been very busy in public education, inspections, consultations and responding to emergency incidents. We are currently fully staffed and are working diligently on multiple projects.



April Fire Prevention Stats

| | |
|--|-----|
| General Inspections: | 72 |
| Re-Inspections: | 10 |
| Plan Reviews: | 12 |
| Fire Prevention Permits: | 4 |
| Fire Investigations: | 1 |
| Fire Responses: | 3 |
| Ambulance Responses: | 15 |
| Public Education Events: | 9 |
| Persons in Attendance at PE Events: | 322 |
| | |
| Car Seats: | 2 |
| | |
| Short Shift Hours: | 35 |

Law Enforcement Activity Report
4/1/2015 TO 4/24/2015

RECEIVED

MAY 01 2015

AUDITOR'S OFFICE

Ordinance Cases Filed

| Criminal | |
|-----------------------------|-----------|
| Bradford/Sheriff | 2 |
| Personal/Tipp City | 1 |
| Piqua Police Department | 5 |
| Tipp City Police Department | 2 |
| Troy Police Department | 27 |
| | <u>37</u> |

| Traffic | |
|-------------------------------|------------|
| Covington Police Department | 3 |
| Piqua Police Department | 31 |
| Tipp City Police Department | 38 |
| Troy Police Department | 54 |
| West Milton Police Department | 8 |
| | <u>134</u> |

State Cases Filed

| Criminal | |
|-------------------------------------|------------|
| Bethel/Sheriff | 6 |
| Bradford/Sheriff | 1 |
| Covington Police Department | 3 |
| Ohio State Patrol | 12 |
| Personal | 10 |
| Piqua City Health Department | 1 |
| Piqua Police Department | 64 |
| Sheriff's Department - Miami County | 33 |
| Tipp City Police Department | 14 |
| Troy Police Department | 83 |
| West Milton Police Department | 21 |
| | <u>248</u> |

| Traffic | |
|---------|--|
|---------|--|

5/1/201:

Law Enforcement Activity Report
4/1/2015 TO 4/24/2015

| | |
|-------------------------------------|-----------|
| Bethel/Sheriff | 20 |
| Bradford/Sheriff | 3 |
| Covington Police Department | 4 |
| Ohio State Patrol | 462 |
| Piqua Police Department | 11 |
| Pleasant Hill / Sheriff | 2 |
| Sheriff's Department - Miami County | 102 |
| Tipp City Police Department | 23 |
| Troy Police Department | 60 |
| West Milton Police Department | 19 |
| | <hr/> |
| | 706 |
| Grand Total: | 1,125 |
| | <hr/> |